

venting the shipment of immature calves; to the Committee on Interstate and Foreign Commerce.

Also, petition of F. A. Miller, Riverside, Cal.; E. G. Hunt, Pasadena, Cal.; and the Foothill Study Club, Saratoga, Cal., favoring the passage of the bill preventing the importation of plumes and feathers of wild birds for commercial use; to the Committee on Ways and Means.

Also, petition of J. H. Humphreys and 7 other citizens of California, protesting against including mutual life insurance companies in the income-tax bill; to the Committee on Ways and Means.

Also, petition of A. C. Rulopson, the Lodi (Cal.) Merchants' Association, and others of California, favoring the passage of a 1-cent letter postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of H. A. Logan, Norwalk, Cal., and 3 other citizens of California, protesting against the reduction of the tariff on sugar; to the Committee on Ways and Means.

Also, petition of F. A. Hilen, Santa Cruz, Cal., favoring the passage of legislation for the creation of Mount Shasta, Cal., as a national park; to the Committee on Public Buildings and Grounds.

By Mr. HINDS: Petition of the Maine State Federation of Labor, protesting against reduction of the duty on paper; to the Committee on Ways and Means.

Also, papers to accompany bill for the relief of Maria E. Tilton, of Kittery, Me.; to the Committee on Invalid Pensions.

Also, papers to accompany bill for pensions for Annie Cantara, of Biddeford, Me.; to the Committee on Pensions.

By Mr. KAHN: Petition of the public buildings committee of the Civic League of Improvement Clubs, of San Francisco, Cal., favoring the erection of new buildings at the Golden Gate Life-Saving Station; to the Committee on Appropriations.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 5915 for the relief of Charles R. Taylor; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: Petition of the John H. Doremus Co., of Passaic, N. J., protesting against the inclusion of commercial organizations in the income-tax bill; to the Committee on Ways and Means.

Also, petition of the Board of Health of the State of New Jersey, favoring the establishment of a committee on public health in the House of Representatives; to the Committee on Rules.

By Mr. MCCOY: Petition of the Board of Street and Water Commissioners of the city of Newark, N. J., protesting against the abandonment of the city of Newark as an independent customs port; to the Committee on Ways and Means.

By Mr. MCGILLICUDDY: Petition of the Maine State Federation of Labor, protesting against any reduction in the tariff on pulp or paper; to the Committee on Ways and Means.

By Mr. PALMER: Petition of sundry citizens of Philadelphia, Pa., favoring building a memorial bridge across the Delaware River between Philadelphia and Camden; to the Committee on Rivers and Harbors.

By Mr. PETERS: Petitions of sundry citizens of Boston, favoring the repeal of the clause in the Panama Canal act exempting American vessels from the payment of tolls; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Papers to accompany bill (H. R. 1698) to provide for an enlarged homestead; to the Committee on the Public Lands.

By Mr. TUTTLE: Petition of the Board of Street and Water Commissioners of the city of Newark, N. J., protesting against the abandonment of the city of Newark as an independent customs port; to the Committee on Ways and Means.

By Mr. UNDERHILL: Petition of the National Woman's Christian Temperance Union, favoring the passage of the Sims amendment to the bill (H. R. 27876) relative to keeping the gates of the Panama Exposition closed on Sunday; to the Committee on Industrial Arts and Expositions.

By Mr. WALLIN: Petition of sundry residents of the thirtieth New York district, protesting against mutual life insurance funds in income-tax bill; to the Committee on Ways and Means.

Also, petition of the National Broom Manufacturers' Association, protesting against the reduction of the tariff on brooms; to the Committee on Ways and Means.

Also, petition of the Albany (N. Y.) Society of Engineers, favoring the deepening of the Hudson River to 27 feet as far as the Troy Dam; to the Committee on Rivers and Harbors.

By Mr. YOUNG of North Dakota: Petition of S. A. Johnson, of Bantry, N. Dak., protesting against the passage of bill (H. R. 4653) relating to the sale of patent medicines; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, June 13, 1913.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The VICE PRESIDENT resumed the chair.

THE JOURNAL.

The VICE PRESIDENT. The Secretary will read the Journal of the preceding session.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	Martin, Va.	Sheppard
Bacon	Fletcher	Myers	Sherman
Bankhead	Gallinger	Nelson	Shively
Brady	Gronna	Newlands	Simmons
Bristow	Hitchcock	Norris	Smith, Ga.
Bryan	Hollis	Overman	Smoot
Burton	Hughes	Owen	Sterling
Cañon	James	Page	Stone
Chamberlain	Johnston, Ala.	Penrose	Sutherland
Chilton	Jones	Perkins	Thomas
Clapp	Kern	Pittman	Thompson
Clark, Wyo.	La Follette	Reed	Thornton
Crawford	Lane	Robinson	Townsend
Cummins	Lea	Root	Walsh
Dillingham	Lewis	Saulsbury	Williams
du Pont	McCumber	Shafer	Works

Mr. THORNTON. I desire to announce that the junior Senator from Louisiana [Mr. RANDELL] is absent on account of sickness.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent from the city on important business. He is paired with the junior Senator from Missouri [Mr. REED]. I desire to have this announcement stand for all votes to-day.

Mr. CLARK of Wyoming. I desire to announce that my colleague [Mr. WARREN] has been called from the city on important public business, and that he is paired generally with the Senator from Florida [Mr. FLETCHER].

Mr. GALLINGER. I wish to announce the enforced absence of the junior Senator from Maine [Mr. BURLEIGH] by reason of prolonged illness.

Mr. LEWIS. I desire to announce the absence of the Senator from South Carolina [Mr. TILLMAN] on imperative business.

Mr. LEA. I desire to have the absence on important public business of the junior Senator from Tennessee [Mr. SHIELDS] noted.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. A quorum is present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last.

Mr. SIMMONS. I move that the further reading of the Journal be dispensed with.

Mr. GALLINGER. That can only be done by unanimous consent.

The VICE PRESIDENT. Is there objection?

Mr. JONES. I object.

The VICE PRESIDENT. The Senator from Washington objects, and the Secretary will read the Journal.

The Secretary resumed the reading of the Journal, and was interrupted by

Mr. JONES. I understand that the Senator from Missouri [Mr. STONE] is anxious to take up the Indian appropriation bill. So I will withdraw my objection to dispensing with the reading of the Journal.

The VICE PRESIDENT. Is there objection to dispensing with the further reading of the Journal? The Chair hears none. Without objection, the Journal will stand approved.

TUBERCULOSIS CURES (S. DOC. NO. 102).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 6th instant, certain reports and documentary information regarding so-called tuberculosis cures which have been given wide publicity, etc., which, with the accompanying papers, was referred to the Committee on Public Health and National Quarantine and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of findings of fact and conclusions filed by the court in the following causes:

Ethelbert Barrett, administrator of the estate of M. W. Garrison, deceased, v. United States (S. Doc. No. 106);

J. T. Robertson, administrator of estate of John McNulty, deceased, *v. United States* (S. Doc. No. 105); and

Elizabeth Snyder, administratrix of Sampson Snyder, deceased, and Hoy Cooper, administrator of John Snyder, deceased, *v. United States* (S. Doc. No. 104).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. NELSON. I present a joint memorial of the Legislature of Minnesota, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the joint memorial was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

House joint memorial 1023.

Whereas there is a very strong general sentiment in favor of the suppression of the gigantic monopoly now exercised by the Standard Oil Co. of Whittings, Ind.; and

Whereas the said company has to-day absolute control of the Nation's if not the world's output and supply of crude oil, gasoline, and petroleum, and the said company has unlimited and unrestrained power to dictate the market prices of the said commodities, and by virtue of its unlimited and unrestrained powers does wrongfully and unlawfully and without any justification increase the market and selling prices of said commodities, which results in great injury to the consumers; and

Whereas the said company is wrongfully and unlawfully discriminating against States and selling the said commodities cheaper in some States and localities than others, without regard to the difference of the cost of transportation and selling; and

Whereas by reason of the rapid progress made in motive power the said products—crude oil, gasoline, and petroleum—have become a common necessity in every profession and vocation of life everywhere; and

Whereas the said Standard Oil Co. has absorbed nearly all like competing industries; and

Whereas it is impossible for private capital to cope with or curb this gigantic and unjust monopoly: Therefore be it

Resolved (the senate concurring), That Congress be, and is hereby, requested to enact a law providing for Government ownership and control of oil-producing industries sufficient to control prices and break the gigantic and unjust monopoly now existing; and be it further

Resolved, That the legislatures of all other States of the United States now in session or when next convened be, and they are hereby, respectfully requested to join in this request by the adoption of this or an equivalent resolution; and be it further

Resolved, That the secretary of state be, and hereby is, directed to transmit copies of this resolution to the Senate and House of Representatives of the United States and to the several Members of said body representing this State therein, and also to transmit copies to the legislatures of all States of the United States.

Mr. GALLINGER presented petitions of William L. Finley, State game warden of Portland, Oreg.; Herbert R. Mills, M. D., of Tampa, Fla.; Francis S. Dane, of Lexington, Mass.; Lilius S. Edwards, of Sanbornville, N. H.; Clarabel Gilman, of Jamaica Plain, Mass.; Elizabeth Richardson and Charles F. Richardson, of Sugar Hill, N. H.; Louisa Holt, of West Summit, N. J.; Harry W. Althouse, of Pottsville, Pa.; Helen Willard, of Brookline, Mass.; Willard Van Name, of Albany, N. Y.; Theodore O. Hamlin, of Rochester, N. Y.; Jesse A. Tolerton, game and fish commissioner, of Jefferson, Mo.; S. McG. Pierce, of Boston, Mass.; Dr. and Mrs. T. M. Dillingham, of Marlboro, N. H.; M. H. Hoover, chief of publication New York Conservation Commission; George M. Warner, of Philadelphia, Pa.; William Edward Coffin, of New York; C. E. Flenner, secretary-treasurer Illinois Electric Railways Association, of Wheaton, Ill.; P. T. Jackson, jr., treasurer Bay State Cotton Corporation, of Boston, Mass.; Edward Bowditch, of Albany, N. Y.; W. I. Ewart, of Seattle, Wash.; Helen M. Merriman, of Intervale, N. H.; W. Hinckle Smith, of Philadelphia, Pa.; W. S. Cady, Wesleyan University, of Middletown, Conn.; Dr. L. Duncan Bulkley and H. E. A. Gibbs, of New York; Mrs. A. J. Spalter, of Winchendon, Mass.; M. B. Banks, of Westport, Conn.; R. Erbsloh, of New York; Sarah J. Eddy, of Bristol, R. I.; James J. Putnam, of Boston, Mass.; A. B. Bates, of New York; C. R. Blackall, of Philadelphia, Pa.; Alice Vanderbilt Morris, of New York; George W. Hager, of Marlboro, Mass.; C. W. Trainer, of Boston, Mass.; Fred C. Church, of Lowell, Mass.; Dorothy Temple, of North Hampton, N. H.; Alfred Wagstaff, president of the American Society for the Prevention of Cruelty to Animals, of New York; Isabella Winslow and Maria L. C. Winslow, of Middleboro, Mass.; Marshall McLean, of New York; students of Washington Irving High School, of New York; Mrs. Oscar Oldberg, of Pasadena, Cal.; Mrs. R. D. Crain, of Winchendon, Mass.; Henry W. Osgood, of Pittsfield, N. H.; Woman's Club of Richmond, Va.; John W. Draper, of New York; Sidney V. Lowell, of New York; Albert H. Wallace, of Montclair, N. J.; Mrs. Frank H. Goler, of Rochester, N. Y.; Edna L. Johnston, of Manchester, N. H.; Edward R. Williams, of Boston, Mass.; Alice M. Wood, of Muskegon, Mich.; S. W. Wellington, of East

Hartford, Conn.; George S. Bowdoin, Julia G. Bowdoin, and Edith G. Bowdoin, of New York; E. R. Lyman, of Philadelphia, Pa.; Joseph W. L. Jones, of Tiffin, Ohio; Elizabeth Bigelow, of Colchester, Conn.; Henry Justice, of Philadelphia, Pa.; Arthur Malcolm, of Philadelphia, Pa.; Henry G. Seaver, of Brooklyn, N. Y.; G. Langmann, I. G. Langmann, H. W. Langmann, and H. C. Kudline, of New York; E. C. Frank, of Glendale, Cal.; William A. Hamann, of New York; William C. Adams, of Boston, Mass.; Anna Custer, of Manchester, N. H.; Mrs. L. C. Christopher, of Manchester, N. H.; Helen Mansfield, of Gloucester, Mass.; A. R. Shattuck, of New York; Job Barnard, of Washington, D. C.; E. M. Clark, of Morristown, N. J.; Adelbert J. Smith, of New York; Effie L. Tufts, of Exeter, N. H.; Edith Timmerman, of Hamlin, N. Y.; Emily B. Adams, of Springfield, Mass.; Walter McDougall, of New York; Emily G. Hunt, Ella M. Hunt, and Elizabeth W. Hunt, of Pasadena, Cal.; J. H. Child, of Boston, Mass.; Eleanor Mellen, of Boston, Mass.; Helen J. Wolf, of Cincinnati, Ohio; Elizabeth I. Cummins, of Wheeling, W. Va.; K. Adams Wells, of Wheaton, Ill.; Mrs. Orville H. Platt, of Washington, Conn.; Alice C. Gilbert, of Walpole, N. H.; C. S. Brown, of New York; Mrs. James Speyer, of New York; Margaret Eaton Brown, of Pittsburgh, Pa.; Mrs. Abba D. Chamberlin, of Pomfret, Vt.; Eugene Swope, of Cincinnati, Ohio; E. J. Boyle, of Boston, Mass.; Ruthven Deane, of Chicago, Ill.; Emily W. Lyson, of South Berwick, Me.; Victoria E. Tonkonogy, of New York; Emma J. Welty, of Portland, Oreg.; G. A. Jones, of New York; Mrs. Cora D. Berlin, of Wimbleton, N. Dak.; of the Bird Lovers' Club of Brooklyn, N. Y.; Helen Clapp, of Charlestown, N. H.; and Mary C. Yarrow, of Philadelphia, Pa., praying for the adoption of the clause in Schedule N of the pending tariff bill prohibiting the importation of the plumage of certain wild birds, which were referred to the Committee on Finance.

He also presented petitions of H. Baker, of Aurora, Ill.; Hubard M. Wright, of Walpole, N. H.; Samuel W. Cole, of Brookline, Mass.; Plimpton, Cowan & Co., of Buffalo, N. Y.; H. Planten & Co., of Brooklyn, N. Y.; L. A. Tworoger, of Laconia, N. H.; the Crocker Grocery Co., of Wilkes-Barre, Pa.; the J. R. Watkins Medical Co., of Winona, Minn.; the Keokuk Industrial Association, of Keokuk, Iowa; the Roddewig Schmidt Candy Co., of Davenport, Iowa; M. A. Newmark & Co., of Los Angeles, Cal.; the Omega Chemical Co., of New York; and the American Specialty Manufacturers' Association, of New York, praying for the exemption of mutual life insurance companies from the operation of the income-tax clause of the pending tariff bill, which were referred to the Committee on Finance.

Mr. McLEAN presented petitions of sundry citizens of Bridgeport, Mount Carmel, and Bethel, all in the State of Connecticut, praying for the exemption of mutual life insurance companies from the operations of the income-tax clause of the pending tariff bill, which were referred to the Committee on Finance.

Mr. PERKINS presented a resolution adopted by the Board of Trade of Pasadena, Cal., favoring the adoption of a 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Calaveras-Alpine Live Stock Association of California, remonstrating against the transfer of the control of the national forests to the several States, which was referred to the Committee on the Conservation of National Resources.

WOMAN SUFFRAGE.

Mr. ASHURST. From the Committee on Woman Suffrage I report back favorably without amendment the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States extending the right of suffrage to women. I present a report upon this exceedingly important subject, and I ask that the same be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be placed on the calendar, and, without objection, the report will be printed in the RECORD.

The report (S. Rept. No. 64) this day submitted by Mr. ASHURST is as follows:

WOMAN SUFFRAGE.

Mr. ASHURST, from the Committee on Woman Suffrage, submitted the following report, to accompany Senate joint resolution 1:

The Senate Committee on Woman Suffrage, having under consideration Senate joint resolution No. 1, introduced by Mr. CHAMBERLAIN, to wit:

Joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the

United States, which, when ratified by three-fourths of the said legislatures, shall be valid as part of said Constitution, namely:

ARTICLE —

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

By direction of a majority of the committee the resolution is reported favorably and with the recommendation that it do pass. The question of granting to women the elective franchise being one of far-reaching consequences and vast importance, involving the political rights of one-half of the citizens of the United States, the committee (notwithstanding the able arguments on this subject and exhaustive reports which have been submitted to Congress from time to time since 1866) took the view that a full and complete hearing should be had; whereupon a number of eminent persons addressed the committee in support of and against the resolution.

PROGRESS.

Observant persons will not fail to notice that marked changes in political and social conditions in the United States are now taking place; that the conditions under which we have been living are rapidly changing, and that many, if not most, of the American people now recognize that society and government are dynamic, not static in character. It is not necessary, in the scope of this report, to discuss all the causes of these changes, but it will not be denied that some of the contributing causes thereof are the adoption of improved means of transportation; the ready communication among the people afforded by the telephone, the telegraph, the post offices, and the excellent facilities for obtaining education and the transmission of intelligence afforded by the schools, the newspapers, and the magazines.

Some statesmen, publicists, and editors deplore the fact that we are now living in an age of inquiry, criticism, and searching analysis, but fortunately the country realizes that smug contentment is a corrosive effluent, deadly to the progress, advancement, and happiness of a nation. A people free from the exigencies of life—free from the desire to bring about a betterment of conditions—lose that keen incentive to improvement which adds so much zest, beauty, and grace to life.

History is largely an account of man's struggle for freedom, and from the beginning of the human race down to the present time its tendency has been toward liberty—mankind reaching out for freedom and immeasurably attaining it.

American civil liberty is the fruitage of many centuries of earnest and patriotic endeavor. The preservation of civil liberty will always depend upon the vigilance and zeal of those who love freedom, and if a people do not love liberty well enough to contend for it, if a people prefer turgid quietude to the boisterousness of liberty, they may be sure that the usurpers of power will sooner or later impose tyrannies and despotism upon them.

CONSTITUTIONAL AMENDMENTS.

Only a short time since some of the wisest and most profound citizens of this Republic believed that by reason of the complicated procedure and large majorities required it was difficult, if not impossible, to amend the Constitution of the United States, and some eminent statesmen even urged that strained constructions should be placed upon the Constitution so as to change somewhat the structure of our political system, bring it into conformity with the dynamic conditions of the day, and thus secure needful reforms.

Dacey says of amending the Constitution of the United States:

"The sovereign of the United States has been roused to serious action but once during the course of 90 years. It needed the thunder of the Civil War to break his repose, and it may be doubted whether anything short of impending revolution will ever again rouse him to activity. But a monarch who slumbers for years is like a monarch who does not exist."

Speaking in the Senate of the United States on the 5th day of July, 1900, Hon. H. D. Money, who was a close observer of men and events, a statesman whose memory this Nation reveres, a scholar, thinker, and orator, whose services here added glory and usefulness to this body, said:

"Mr. President, I am one of those who believe that there never will be another amendment to the Constitution of the United States. * * * I do not believe this amendment (income-tax amendment) to the Constitution will ever be a part of it." * * *

But contrary to the opinion which a few years since prevailed among many thinking people, within the past five months two amendments to the Constitution of the United States have been proclaimed, and they were adopted under the procedure which is indisputably complicated and involved. The adoption of these amendments, in addition to the valuable reforms they will bring about, has convinced the American people that our Federal Constitution is a living, breathing, dynamic force that protects persons as well as property, and that it is not a Procrustean bed of fixity incapable of amendments or change.

During the Sixty-second Congress, from December 4, 1911, to December 4, 1912, 21 amendments were proposed to the Constitution of the United States, and the feeling that the Constitution may be amended is not confined to any one political party. To this date, during the Sixty-third Congress, 14 proposals to amend the Constitution of the United States have been introduced in the Senate and 32 proposals in the House of Representatives, demonstrating that the "let-alone," noninterference, careless, laissez faire policy does not meet the demand of the present day.

New occasions teach new duties,
Time makes ancient good uncouth,
They must upward still and onward
Who would keep abreast of truth;
Lo, before us gleam her camp fire;
We ourselves must Pilgrims be,
Launch our Mayflower and steer boldly
Through the desperate winter sea,
Nor attempt the future portals
With the past's blood-rusted key.

But it can not fairly be argued that the proposed constitutional amendment which provides that the rights of citizens of the United States shall not be denied or abridged by the United States or any State, by reason of sex, is a new, "novel," or "radical" movement, for every phase of this subject has been discussed from time to time by many of the ablest minds of the Nation. It has been considered in its relation to the Constitution, and constitutional law bearing upon such polity has been given earnest and careful consideration.

On July 2, 1776, two days before the Declaration of Independence was signed, New Jersey, in her first State constitution, enfranchised the women by changing the words of her provincial charter from "male freeholders worth £50" to "all inhabitants worth £50," and for 81 years the women of that State voted.

Eighty years ago women could not vote anywhere, except to a very limited extent in Sweden and in a few other places in the Old World.

Gains in equal suffrage since 1838.

Time.	Place.	Kind of suffrage.
1838	Kentucky.....	School suffrage to widows with children of school age.
1850	Ontario.....	School suffrage, women married and single.
1861	Kansas.....	School suffrage.
1867	New South Wales.....	Municipal suffrage.
1869	England.....	Municipal suffrage, single women and widows.
	Victoria.....	Municipal suffrage, married and single women.
	Wyoming.....	Full suffrage.
1871	West Australia.....	Municipal suffrage.
1875	Michigan.....	School suffrage.
	Minnesota.....	Do.
1876	Colorado.....	Do.
1877	New Zealand.....	Do.
1878	New Hampshire.....	Do.
	Oregon.....	Do.
1879	Massachusetts.....	Do.
1880	New York.....	Do.
	Vermont.....	Do.
	South Australia.....	Municipal suffrage.
1881	Scotland.....	Municipal suffrage to the single women and widows.
	Isle of Man.....	Parliamentary suffrage.
1883	Nebraska.....	School suffrage.
1884	Ontario.....	Municipal suffrage.
	Tasmania.....	Do.
1886	New Zealand.....	Do.
	New Brunswick.....	Do.
1887	Kansas.....	Do.
	Nova Scotia.....	Do.
	Manitoba.....	Do.
	North Dakota.....	School suffrage.
	South Dakota.....	Do.
	Montana.....	Do.
	Arizona.....	Do.
	New Jersey.....	Do.
	Montana.....	Tax-paying suffrage.
1888	England.....	County suffrage.
	British Columbia.....	Municipal suffrage.
	Northwest Territory.....	Do.
1889	Scotland.....	County suffrage.
	Province of Quebec.....	Municipal suffrage, single women and widows.
1891	Illinois.....	School suffrage.
1893	Connecticut.....	Do.
	Colorado.....	Full suffrage.
	New Zealand.....	Do.
1894	Ohio.....	School suffrage.
	Iowa.....	Bond suffrage.
	England.....	Parish and district suffrage, married and single women.
1895	South Australia.....	Full State suffrage.
1896	Utah.....	Full suffrage.
	Idaho.....	Do.
1898	Ireland.....	All offices except members of Parliament.
	Minnesota.....	Library trustees.
	Delaware.....	School suffrage to tax-paying women.
	France.....	Women engaged in commerce can vote for judges of the tribunal of commerce.
	Louisiana.....	Tax-paying suffrage.
1900	Wisconsin.....	School suffrage.
	West Australia.....	Full State suffrage.
1901	New York.....	Tax-paying suffrage; local taxation in all towns and villages of the State.
	Norway.....	Municipal suffrage.
1902	Australia.....	Full suffrage.
	New South Wales.....	Full State suffrage.
1903	Kansas.....	Bond suffrage.
	Tasmania.....	Full State suffrage.
1905	Queensland.....	Do.
1906	Finland.....	Full suffrage; eligible to all offices.
1907	Norway.....	Full parliamentary suffrage to the 300,000 women who already had municipal suffrage.
	Sweden.....	Eligible to municipal offices.
	Denmark.....	Can vote for members of boards of public charities and serve on such boards.
	England.....	Eligible as mayors, aldermen, and county and town councillors.
	Oklahoma.....	New State continued school suffrage for women.
1908	Michigan.....	Taxpayers to vote on questions of local taxation and granting of franchises.
	Denmark.....	Women who are taxpayers or wives of taxpayers vote for all officers except members of Parliament.
	Victoria.....	Full State suffrage.
1909	Belgium.....	Can vote for members of the counsells des prudhommes, and also eligible.
	Province of Voralberg (Austrian Tyrol). Ginter Park, Va.....	Single women and widows paying taxes were given a vote. Tax-paying women, a vote on all municipal questions.
1910	Washington.....	Full suffrage.
	New Mexico.....	School suffrage.
	Norway.....	Municipal suffrage made universal. (Three-fifths of the women had it before.)
	Bosnia.....	Parliamentary vote to women owning a certain amount of real estate.

Gains in equal suffrage since 1838—Continued.

Time.	Place.	Kind of suffrage.
1910	Diet of the Crown Prince of Krain (Austria). India (Gaekwar of Baroda). Württemberg, Kingdom of..	Suffrage to the women of its capital city, Lail- bach. Women of his dominions vote in municipal elections. Women engaged in agriculture vote for mem- bers of the chamber of agriculture; also eli- gible.
	New York.....	Women in all towns, villages, and third-class cities vote on bonding propositions.
1911	California..... Honduras..... Iceland.....	Full suffrage. Municipal suffrage in capital city, Belize. Parliamentary suffrage for women over 25 years of age.
1912	Oregon..... Arizona..... Kansas..... Alaska.....	Full suffrage. Do. Do. Do.

We do not feel called upon in this report to discuss (if, indeed, it be debatable) the question as to the equality or inequality of the two sexes from an intellectual standpoint. It is, or at least ought to be, an axiom of American liberty that a class of persons obedient to the laws as are the women; a class which has a peculiar care for the rights of others; a class which is taxed upon its labor and property for the support of the Government; which is liable to punishment for acts which the law makes criminal; which is patriotic, learned, and in a large measure capable of the highest degree of efficiency in the useful arts and sciences; which is patient beyond estimate and constantly pouring forth costly sacrifices for the common good of the species, should not be denied a voice in the enactment and enforcement of laws and concerns of the Government.

"Government is simply a tool in the hands of the people for the fashioning of that people's civilization." Government is strong or weak, capable or deficient, according to the people who control and make up that Government. In this Republic the people constitute the Government. They are its creators and its maintenance; they are the Government. That the granting of the elective franchise to women would add to the strength, efficiency, justice, and fairness of government we have not the slightest doubt, and this is especially true in the United States, where all power is reposed in the people with universal suffrage as the primal basis of its exercise. "The people" includes women, who can not be denied those political privileges and responsibilities which men claim and assert for themselves without doing violence to the fundamental principles of our Government.

It is anomalous and archaic, in a free Republic, professedly made up of, controlled by, and administered for all the people, to deny to one-half of its citizens the right of exercising a valuable function of citizenship, to wit, the elective franchise, and thus preclude that one-half from the right and power to say what law or polity shall be its rule of conduct. And this anomaly becomes odious and abhorrent when we reflect that the particular one-half of citizenship thus excluded is the identical one-half from which springs so much wisdom, courage, cheer, hope, and good counsel. In this Republic we are in constant warfare against fraud and violence, avarice, and cupidity, and in behalf of liberty and justice, whose success will be accelerated by extending the franchise to women, in whom the materialistic is generally submerged for the idealistic; a class of voters who look to all laws and movements as to how such laws and movements will affect their children; how such laws and conditions will promote morals, human health, and human progress, more especially than as to how this or that particular law or polity will develop or serve material or property interests. In other words, as has been said, "Man looks after the affairs of life, but woman looks after life itself."

Woman's sphere, her ideals, and her duties make her the inescapable and essential conservator of human life, charged as she is with the duty of conserving the human race; and it is in harmony with political and natural justice to accord to her the right to say what laws shall assist her in bringing about the betterment of economic conditions.

AMERICAN CITIZENS.

This question as to who is an American citizen was left somewhat in doubt by the Constitution of the United States until the adoption of the fourteenth amendment in 1868, when that amendment, in the first section thereof, created a distinct Federal citizenship, as follows:

"ARTICLE XIV.

"SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside."

The rights attaching to an American citizen may be divided into two classes; that is to say, civil rights and political rights. On the ground of public policy minors, incompetents, and others are frequently denied political rights. The right of suffrage—that is, elective franchise, or the right to vote—is a political right which, upon the grounds of sound public policy and a due regard for the genius of our form of government, should never be withheld from a class of citizens fairly and in good faith proved to be worthy of possessing this right. That the class of citizens described in the above resolution (females) has abundantly demonstrated it is eminently worthy of possessing such a right has never been successfully contradicted. In determining whether or not a particular class of citizens is entitled to the elective franchise the following rules, set down by S. E. Forman, Ph. D., in his *Advanced Civics* (see p. 106), will be found useful, and if a class fairly and in good faith meets the requirements of these conditions it is respectfully submitted that the elective franchise should be granted to such a class. The things to be considered, therefore, are as follows:

1. Will this class of citizens (females) vote whenever the lawful opportunity is presented?
2. Will this class of citizens (females) attempt to comprehend the questions upon which it votes?
3. Will this class of citizens (females) attempt to learn something of the character and fitness of the persons for whom it votes?
4. Will this class vote against dishonest persons for office?
5. Will this class oppose dishonest measures?
6. Will this class refuse, directly or indirectly, to accept a bribe, and refuse, directly or indirectly, to give a bribe?
7. Will this class place country above party?
8. Will this class recognize the result of the election as the will of the people, and therefore as the law?

9. Will this class continue to fight for a righteous, although defeated, cause so long as there is a reasonable hope of success?

10. Is this class of citizens able to read and write?

11. Does this class of citizens pay taxes?

We submit that the class of voters (females) sought to be enfranchised by this resolution answers each and every one of these interrogatories with distinguished credit to itself and that it fully, fairly, and in good faith measures up to these requirements.

We therefore, upon all grounds, conclude that the resolution should be submitted to the States for their adoption or ratification.

Subjoined to this report, and made part thereof, will be found a memorial of the National American Woman Suffrage Association, being Senate Document No. 519, Sixty-first Congress, second session.

[Senate Document No. 519, Sixty-first Congress, second session.]

To the Senate and House of Representatives in Congress assembled:

Your memorialists, representing the women of the United States desiring the right of suffrage and now being represented in national convention, representing nearly every State in the Union, respectfully demand the recognition by Congress of the right to vote for those women of the United States who possess equal qualifications with men in the matter of intelligence or other conditions imposed by the several States upon the exercise of suffrage.

We ask legislation which will provide that no citizen of the United States be denied or abridged the right of vote by the United States or by any State on account of sex.

We ask that an amendment be submitted to the fifteenth article of the Constitution of the United States, so that it shall read as follows, to wit:

"ARTICLE XV.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, sex, or previous condition of servitude."

The reasons for our request are as follows:

(1) The women of the United States are citizens of the United States, entitled by nature to an equal right to enjoy the opportunities of life.

(2) They perform half the work of the United States.

(3) They bear all of the children of the United States.

(4) They educate these children.

(5) They inculcate in these children lessons of morality, of religion, of industry, of civic righteousness, and of civic duty.

(6) They deserve to be honored by the children of the country as entitled to equal dignity and honor possessed by men.

(7) They pay half of the taxes of the United States.

(8) They possess half of the property of the United States, or at least they are entitled to possess half of the property of the United States by virtue of labor performed and duty well done.

Their property and their right to liberty and to life are subject to law. The law controls the property rights of women and the rights of women to life, liberty, and the pursuit of happiness, and, therefore, we demand the right to a voice in the election of Representatives to write these statutes and to execute them.

We notify you that the injustice of the past, denying us these obvious rights, will no longer be patiently endured. You can not, in the presence of God and with a clean conscience, deny the validity of the reasons we present justifying our demand.

Answer these arguments.

Answer these sound reasons with a good conscience, and you are compelled to yield to the righteous demand of the women of America.

You well know, as students of history and as students of statecraft, that the ballot is the right protective of every other right, and, knowing this, how will you deny women equal opportunity to earn equal wages for equal labor?

Will you suggest that good women will not vote and bad women will vote? This most untrue and unkind suggestion has been emphatically and finally answered by history, which demonstrates that the same percentage of women vote as men, and that the vote of undesirable women is an utterly negligible quantity. That women are not to be regarded as bringing to suffrage a preponderance of evil, but that their vote has brought to use of the State an important influence in the interest and well-being of children; new and stronger laws for the protection and advancement of the interest of children; new and better laws for the preservation of the public health; new and better laws for decency in administration and the beautifying of cities, and more worthy candidates by all parties are offered where women vote.

We demand the right of suffrage because it is justified by every natural right, because it can not be denied by conscientious, thoughtful, studious men who desire to deal justly with all human beings alike. We desire these rights in order to raise in dignity and power the mothers of this Nation, and for the broader reasons that no nation ever rises higher than the motherhood of the nation, and the welfare of this Nation is not promoted by denying to the mothers of the Nation the elemental right of suffrage which is essential, not only to protect their own rights of life, liberty, property, and pursuit of happiness, but to protect their children, whom they have so loved, from the treacherous pitfalls that line the pathway of life.

Very obediently, yours,

ANNA HOWARD SHAW,
President of National
American Woman Suffrage Association.
RACHEL FOSTER AVERY,
First Vice President.
CATHERINE WAUGH McCULLOCH,
Second Vice President.
MARY WARE DENNETT,
Corresponding Secretary.
ELLA SEASS STEWART,
Recording Secretary.
HARRIET TAYLOR UPTON, Treasurer.
LAURA CLAY, Auditor.
ALICE STONE BLACKWELL, Auditor.

INTRODUCTION OF BILLS.

Mr. TOWNSEND. I present the following bill for reading and reference.

Mr. JONES. I ask that the introduction of the bill may go over for a day.

Mr. STERLING. I present the following bill for a special act.

The VICE PRESIDENT. It will go over for a day on objection. There are on the Secretary's desk certain bills which have been read the first time. They will now be read the second time.

The following bills were severally read the second time by title and referred as indicated:

By Mr. MARTINE of New Jersey:

A bill (S. 2493) to provide for the placing of the temporary employees of the Census Bureau on the permanent roll of the civil service (with accompanying paper); to the Committee on the Census.

By Mr. CATRON:

A bill (S. 2494) to provide for the purchase of a site and the erection of a public building thereon in the city of Clayton, in the State of New Mexico.

Mr. JONES. That is the second reading?

The VICE PRESIDENT. It is the second reading. The bill will be referred to the Committee on Public Buildings and Grounds.

By Mr. CATRON:

A bill (S. 2495) granting an increase of pension to Eugenia Chavez de Montano; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 2496) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, Stanislaus National Forest, and the public lands in the State of California, and for other purposes; to the Committee on Public Lands.

By Mr. SHAFROTH:

A bill (S. 2497) granting an increase of pension to W. H. Hyatt;

A bill (S. 2498) granting a pension to Helena A. Edic; and

A bill (S. 2499) granting an increase of pension to John Wade; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 2500) to regulate the employment of agents, counsel, and attorneys engaged to secure the passage or defeat of legislation by Congress; to prohibit persons and corporations interested in the passage or defeat of legislation and their counsel, agents, and attorneys from attempting to influence Members of the Senate and House of Representatives other than by oral and written arguments and briefs submitted to regularly constituted committees; providing for a return of expenses incurred; and prescribing penalties for the violation of the provisions thereof; to the Committee on the Judiciary.

The following bills were read twice by title and referred as indicated:

By Mr. McLEAN:

A bill (S. 2501) granting an increase of pension to Abbie A. Tucker (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 2502) granting an increase of pension to James Henry Martineau; and

A bill (S. 2503) granting a pension to Mary Butterfield; to the Committee on Pensions.

A bill (S. 2504) to reimburse George Heiner, postmaster at Morgan, Utah, for loss of postage stamps; to the Committee on Claims.

A bill (S. 2505) to correct the military record of Joseph B. Forbes; to the Committee on Military Affairs.

By Mr. BRADLEY:

A bill (S. 2506) granting an increase of pension to Julia A. Bachus (with accompanying papers); and

A bill (S. 2507) granting an increase of pension to Harriet N. Lair (with accompanying paper); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 2508) granting a pension to William H. Tucker; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 2509) granting an increase of pension to Moses N. Jones; and

A bill (S. 2510) granting an increase of pension to Edgar T. Limes; to the Committee on Pensions.

The VICE PRESIDENT. The following bills on the Secretary's table have been noted for introduction and will be read the first time.

The SECRETARY. By Mr. SMOOT, a bill (S. 2511) to provide for agricultural entries on coal lands in Alaska;

A bill (S. 2512) to amend an act entitled "An act relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon," approved August 13, 1894; and

A bill (S. 2513) to provide for the erection of a public building at Cedar City, Utah.

The VICE PRESIDENT. The bills will go over.

The SECRETARY. By Mr. BRADY, a bill (S. 2514) for the relief of William P. Havenor.

The VICE PRESIDENT. The bill will go over.

The SECRETARY. By Mr. LEWIS, a bill (S. 2515) to amend the interstate commerce law and to authorize the Interstate Commerce Commission to assume the power of supervising the issuance of stock, the issuance of bonds, the matter of consolidation, amalgamation, or combination of all transportation lines doing an interstate commerce business, and all interstate concerns engaged in any form of interstate commerce, and for such other purposes as shall protect the public against watered stock and excessive bond issues, and consolidations made with the object of effecting monopoly and trust in matters of interstate commerce.

The VICE PRESIDENT. The bill will go over.

The SECRETARY. By Mr. CUMMINS, a bill (S. 2516) to direct the Attorney General to take an appeal to the Supreme Court of the United States from a decree entered by the Circuit Court of the United States in and for the Southern District of New York in the suit of the United States against the American Tobacco Co. and others, and extend the time for taking such appeal, and for other purposes.

The VICE PRESIDENT. The bill will go over.

The SECRETARY. By Mr. NEWLANDS, a bill (S. 2517) providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

Mr. NEWLANDS. I should like to inquire as to whether that bill was not referred to the Committee on Interstate Commerce at the last session.

The VICE PRESIDENT. It was not. Objection was made to the reference, and the bill is now being read for the first time.

Mr. NEWLANDS. Will it be in order now to request its reference to the Committee on Interstate Commerce?

The VICE PRESIDENT. It can not be referred until after it has been read the second time, and objection has been made to its second reading to-day.

Mr. NEWLANDS. Does that imply that it must go over to another day?

The VICE PRESIDENT. It implies that it must go over to another day for its second reading under the rule of the Senate, which requires that on objection a bill shall be read on separate days.

Mr. NEWLANDS. May I ask at whose suggestion the compliance with the rule was required?

The VICE PRESIDENT. The Chair is informed by the RECORD that it was done at the suggestion of the Senator from Washington [Mr. JONES].

Mr. NEWLANDS. I understood that the objection of the Senator from Washington was only to my request that a certain statement be published in the RECORD in connection with the bill. I did not understand that objection was made to the reference of the bill to the Committee on Interstate Commerce.

Mr. JONES. I simply desire to suggest to the Senator that I am asking that each of these bills shall go through the regular form prescribed by the rules.

The VICE PRESIDENT. The next bill on the Secretary's table will be read by title.

The SECRETARY. By Mr. SHAFROTH, a bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply.

The VICE PRESIDENT. The bill will lie over.

Mr. MYERS. I introduce a joint resolution.

Mr. JONES. I ask that the joint resolution go over.

The VICE PRESIDENT. It will go over.

Mr. SMOOT. I offer a bill to authorize the Secretary of the Treasury to use at his discretion certain surplus moneys in the Treasury in the purchase or redemption of outstanding interest-bearing obligations of the United States.

Mr. JONES. I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

Mr. DILLINGHAM. I desire to introduce a joint resolution.

Mr. JONES. I ask that the joint resolution may go over under the rule.

The VICE PRESIDENT. It will go over.

Mr. McCUMBER. I introduce the bill which I send to the desk.

Mr. JONES. I ask that the bill may go over under the rule.

The VICE PRESIDENT. The bill will go over under the rule.

Mr. ASHURST. At the request of my colleague the Senator from Arizona [Mr. SMITH], who is necessarily absent from the Senate to-day, I introduce for him a bill, and ask that it, with the accompanying papers, be referred to the Committee on Public Lands.

Mr. JONES. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.
Mr. THOMPSON. I introduce the bill which I send to the desk.

Mr. JONES. I ask that the bill go over for a day.

The VICE PRESIDENT. The bill will go over.

Mr. ASHURST. Upon my own responsibility I introduce a bill, and ask that it may be referred to the Committee on Public Lands.

Mr. JONES. I ask that the bill shall go over under the rule.

The VICE PRESIDENT. It will go over.

Mr. NELSON. I introduce a bill for reading and reference.

Mr. JONES. I ask that the bill may go over under the rule.

The VICE PRESIDENT. The bill will go over.

Mr. LA FOLLETTE. I introduce a bill for reading and reference.

Mr. JONES. I ask that the bill go over under the rule.

The VICE PRESIDENT. The bill will go over.

Mr. STONE. Mr. President, is morning business concluded?

The VICE PRESIDENT. Morning business has not yet been announced as being concluded. Concurrent and other resolutions are in order.

AMENDMENT OF THE RULES.

Mr. THOMAS. I desire to give notice of a proposed amendment to Rule V, section 2, as follows:

If at any time during the daily sessions of the Senate a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll, or he may count those Senators who are present at the time such question is raised without calling such roll and announce the result, and these proceedings shall be without debate.

INTERSTATE SHIPMENTS OF LIQUORS (S. DOC. NO. 103).

Mr. SUTHERLAND. Mr. President, I asked at the last session of the Senate for the printing of ex-President Taft's veto message on the so-called Webb-Kenyon liquor bill, together with the opinion of the Attorney General in connection therewith. The Senator from Washington [Mr. JONES] at the time objected, but I think he did not understand that what I desired printed was the President's message, which ought to have been printed in due course without any request.

I renew my request for the printing of the message and the accompanying opinion of the Attorney General, and I hope the Senator from Washington will not object.

Mr. JONES. Mr. President, I desire to say that as that is a message from a President of the United States and should have been printed at the time it was transmitted, but for some reason was not, I shall not object.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah [Mr. SUTHERLAND]? The Chair hears none, and the order is made.

GOOD ROADS.

Mr. SHAFROTH. I have a request from the president of the International Good Roads Association to have printed in the RECORD some short comments upon the subject of good roads, and I ask unanimous consent that they be inserted in the RECORD.

Mr. JONES. I shall have to object to that.

The VICE PRESIDENT. Objection is made.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. MARTIN of Virginia. Mr. President, I desire to make a report of the conference committee on the part of the Senate on House bill 2441, being the sundry civil appropriation bill. This bill has been before the conference committee since the 9th day of May. There is only one difference between the two Houses, and that is practically whether or not there shall be 5 members or 11 members of the Board of Managers of the National Soldiers' Homes. The bill as it came to the Senate from the House of Representatives contained a provision that hereafter when vacancies occur in the board of managers such vacancies shall not be filled until the number of members of the board is reduced from 11 to 5. This provision in the House bill was a plain, simple piece of legislation, having no relation to any appropriation whatsoever. It was a plain change of the statute law of the country, reducing the number of the Board of Managers of the Soldiers' Homes from 11 to 5. The Senate did not approve of that piece of legislation in an appropriation bill and amended the bill by striking it out, thus leaving the government of the soldiers' homes in the hands of 11 managers, as now provided by law. That single difference has held up the sundry civil appropriation bill since the 9th of May.

The conferees appointed by the Senate have made every effort which could possibly be made to reach an agreement with the conferees of the House of Representatives. Although our efforts were unsuccessful, we have continued the conferences as far as reason will permit them to be continued. We are informed by the conferees on the part of the other House that they will never accept the amendment made by the Senate.

They will not even consider any modification of the position taken by the House in the original bill.

So far as I am concerned, and, as I believe, so far as the other conferees on the part of the Senate are concerned, we have thought, and we still think, that this legislation should not have been embraced in an appropriation bill. We do not think that the government of the soldiers' homes will be improved by reducing the number of the members of the board from 11 to 5. I gravely doubt, Mr. President, whether or not the government of these homes by a board appointed as the board is now being appointed is a wise method of government. I believe—though I perhaps ought not to affirm it, for my investigation has not been exhaustive—I strongly incline to the opinion that the government of the soldiers' homes is not good and that some modification might wisely be made; but when made, it should be made by legislative enactment standing on its own merits and not by a provision injected into an appropriation bill. It is a very bad state of affairs when Senators are confronted with the alternative of accepting a piece of legislation which they do not approve of or defeating an appropriation bill carrying \$116,000,000, now badly needed for the conduct of the business of the Government.

I have received letters, Mr. President, from the War Department and from the Treasury Department, stating that the Government is embarrassed for the want of the money carried by this appropriation bill. The amount appropriated is not all available until the 1st of July, but about \$14,000,000 intended for river and harbor work was made available at once, because there was immediate necessity for that money; and, in like manner, about \$10,000,000 for public buildings was made available at once for a like reason—it was needed immediately. The departments of the Government have been embarrassed for more than a month for the want of this money, and the heads of those departments, as I have said, have been writing letters to me of the most urgent character, stating that the business of the Government has been impeded and embarrassed because the appropriations have not been made.

Under these circumstances, Mr. President, we have not been willing to take the responsibility of delaying this appropriation bill any longer. The conferees appointed by the Senate felt that it was incumbent upon them to present the matter to the consideration of the Senate, and I therefore offer this resolution:

Resolved, That the Senate recede from its amendment numbered 2 to the bill H. R. 2441.

If that resolution is adopted, the bill stands passed without further procedure. We have reached no agreement with the House conferees, and can reach none unless we do what this resolution provides shall be done. Instead of agreeing to it ourselves the conferees preferred that the Senate take the responsibility of dealing with this matter. We prefer that the Senate shall say whether we shall recede or whether we shall defeat this appropriation bill and embarrass the Government by insisting upon this amendment.

As unfortunate as the situation is, Mr. President, my judgment is that we had better recede. I do not think that we can afford to withhold these appropriations which are urgently needed at this time and for which the departments of the Government are appealing to the chairman of the Appropriations Committee and the presiding officer of the Senate, asking that there may be some immediate action in order that the Government may be relieved from embarrassment. We can not relieve this embarrassment, Mr. President, except by receding from this amendment, and I think the difference between a governing body of 5 and a governing body of 11 is too small a difference to justify us in proceeding further in our efforts to do what we think is right. I therefore submit the motion to the Senate in order that the Senate may take the responsibility of determining this matter.

The VICE PRESIDENT. The Senator from Virginia moves that the Senate recede from its amendment numbered 2 to House bill 2441.

Mr. BURTON. Mr. President, I fully realize the importance of passing the sundry civil appropriation bill; but I trust this motion will not be adopted. It seems to me the House should recede. In the first place, this appropriation bill as sent to us by the House contains an amendment to substantive law. There may be a strong argument why in a matter pertaining exclusively to an appropriation we should recede upon the insistence of the House, but the proposition presented to us is very different from that. There is a demand that we should, at the dictation of the House, change the law as it has existed since its first enactment, and that, too, not on a bill presented to us in the ordinary way, but as an amendment to an appropriation bill. So it is not for the Senate to recede in such case as this, but for the House.

Again, if there is any one thing upon which the veterans of the Civil War have insisted in the last few years it is the maintenance of the law as it is. They are becoming fewer in number; they are disappearing like the leaves of autumn; many of them find their homes in these soldiers' homes throughout the country, and it is the earnest desire not merely of the occupants of those homes, but of their comrades outside, that there should be one member of the board of managers living near each home. The old soldiers who live in these homes have their wants; they have their complaints, and they desire earnestly the sympathy of a local member of the board who can listen to them and who can know of their needs. So, Mr. President, I think the law should continue as it is. We owe it to the occupants of these homes, and we owe it to the surviving veterans of the Civil War.

Mr. SMOOT. Mr. President, I made the motion in the Committee on Appropriations to strike from the House bill the provision under consideration. A majority of the committee voted that it be stricken out. In looking up the history of this matter I find that by the act of March 21, 1866, the membership of the Board of Managers of the National Home for Disabled Volunteer Soldiers was fixed at 12, namely, the President, the Secretary of War, and the Chief Justice, together with 9 citizens. The President, the Secretary of War, and the Chief Justice are ex officio members during their respective terms of office, but they have never participated in any of the meetings of the board.

The act of March 2, 1887, provided that the number of elected members of the board be increased to 10, and by a joint resolution of March 3, 1891, the number of elected members was increased to 11.

Mr. President, a local manager, as he is called, comes generally from each State in which a branch home is located. The members of the board of managers are not paid a salary. All that the Government does for them is to pay their actual expenses in going to the board meetings or returning from the meetings and in attending to whatever duty they may have to perform within the State to which they are assigned. The provision made in the House bill will involve more expense to the Government than the law as it now is.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I do.

Mr. NORRIS. I should like to inquire of the Senator if there is anything in the law constituting this board which provides that there must be one member on the board from each State which has a home within its borders?

Mr. SMOOT. No; Mr. President, there is not anything of that kind in the law.

Mr. NORRIS. That is just a custom?

Mr. SMOOT. That is a custom.

Mr. NORRIS. How many soldiers' homes are there, altogether?

Mr. SMOOT. There are 10 or 11, I believe.

Mr. NORRIS. And there are 11 members of the board of managers?

Mr. SMOOT. Yes; the chairman of the board makes the eleventh.

Mr. NORRIS. Well, is it true that every member of the board comes from a State in which there is a National Soldiers' Home located?

Mr. SMOOT. I so understand, Mr. President.

Mr. NORRIS. I have not looked it up, but I am satisfied the Senator is mistaken about that.

Mr. SMOOT. That is as I understand it, Mr. President.

Mr. NORRIS. I do not believe that is the fact.

Mr. SMOOT. And it was so reported to the committee.

Mr. NORRIS. Has the Senator at hand a list of the soldiers' homes?

Mr. SMOOT. No; I have not a list.

Mr. NORRIS. If the Senator will permit me, I should like to inquire of the Senator from Virginia whether he has a list of the soldiers' homes?

Mr. MARTIN of Virginia. I think I have not a list of the soldiers' homes, but I have a list of the governors of the soldiers' homes, giving their residences.

Mr. SMOOT. I did not expect this matter to be brought to the attention of the Senate to-day or I should have brought the list with me. I have it in my office. If the Senator from Virginia has a list of the home managers, and will read it, of course we can tell whether there are any soldiers' homes in other States than those where the managers live.

Mr. NORRIS. I think the Senator will find that that rule, at least, is not universally applied.

Mr. LEWIS. Mr. President, I should like to ask the Senator a question, with his permission.

Mr. SMOOT. Certainly.

Mr. LEWIS. Does this proposed elimination of members eliminate the governor of the soldiers' home at Danville, Ill.?

Mr. SMOOT. I can not tell, because the bill provides that as vacancies occur they shall not be filled; and I really have not here information that will enable me to tell the Senator whether that would be one of the vacancies before the number is reduced to five or not.

Mr. MARTIN of Virginia. Mr. President, I have a list which shows the dates of expiration of the various terms.

Mr. SMOOT. That will tell.

Mr. MARTIN of Virginia. If it is desired, the Secretary can read that list.

Mr. SMOOT. I will ask that the Secretary read the list, and then the Senator can tell.

The VICE PRESIDENT. If there is no objection, the Secretary will read as requested.

Mr. ROOT. Mr. President, I should like to suggest that on page 260 of the Congressional Directory, which we all have in our desks, there is a list of the branches of the National Home for Disabled Volunteer Soldiers and their managers. It is at the foot of page 260.

Mr. SMOOT. I ask that the Secretary may read the list.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Branches: Central, Dayton, Ohio; Northwestern, Milwaukee, Wis.; Southern, Hampton, Va.; Eastern, Togus, Me.; Western, Leavenworth, Kans.; Marion, Marion, Ind.; Pacific, Santa Monica, Cal.; Danville, Danville, Ill.; Mountain, Johnson City, Tenn.; Battle Mountain Sanitarium, Hot Springs, S. Dak.

Managers: The President of the United States, the Chief Justice, the Secretary of War, ex officio, Washington, D. C.; Maj. James W. Wadsworth, president, 346 Broadway (New York Life Building), New York, N. Y.—term expires 1916; Lieut. Franklin Murphy (holds over until successor is appointed), first vice president, Newark, N. J.—term expired 1912; Col. Henry H. Markham, second vice president, Pasadena, Cal.—term expires 1916; John M. Holley, Esq., secretary, La Crosse, Wis.—term expires 1916; Maj. William Warner (holds over until successor is appointed), Kansas City, Mo.—term expired 1912; Col. Edwin P. Hammond, La Fayette, Ind.—term expires 1914; Gen. Joseph S. Smith, Bangor, Me.—term expires 1914; Lieut. Oscar M. Gottschall (holds over until successor is appointed), Dayton, Ohio—term expired 1912; Hon. Z. D. Massey, Sevierville, Tenn.—term expires 1914; Capt. Lucian S. Lambert, Galesburg, Ill.—term expires 1914; Gen. P. H. Barry, Greeley, Nebr.—term expires 1916.

General treasurer: Maj. Moses Harris.

Inspector general and chief surgeon: Col. James E. Miller.

Mr. SMOOT. Mr. President, at the last meeting of the board of managers, without a dissenting vote, the following resolution was adopted:

Resolved, That, in the opinion of the Board of Managers, National Home for Disabled Volunteer Soldiers, it would not be to the best interests of the members of the home to have the number of managers reduced. The board as now constituted gives to each of the branches of the home a representative on the board. Experience shows that giving to each branch a local manager increases the efficiency of the management and adds to the comfort of the members.

Mr. NORRIS. Mr. President, will the Senator allow me to make a suggestion there?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I do.

Mr. NORRIS. I thought the Senator's idea was—at least, the Senator from Illinois got that idea, I think, from the question he asked—that each member of the board of managers came from a State where there was a home located. A reading of the list of the managers and of the homes shows that that is not true. Those two propositions have no direct connection with each other. A member of the board of managers does not necessarily have to come from a State within whose borders there is a home located, as I suggested awhile ago.

Mr. SMOOT. Mr. President, I know that all the testimony which was taken before the committee was to the effect that the reason why they had the local manager was on account of decreasing the expense to the Government, as their traveling expenses would not be so much traveling within the State as they would be if they had to travel out of the State, or through several States.

In that connection the part of the minutes that I have here contains this language:

Experience has shown that this number of members is to the best interest of the home, giving one member for president of the board and to each of the 10 branches a representative on the board known as local manager. These local managers, while taking a lively interest in each of the 10 branches, give particular attention to their respective branches, thus enabling them at the semiannual meeting of the board to make such recommendations and changes in the management of the home as tend to the comfort and happiness of the twenty-odd thousand of members.

I have felt that the conferees on the part of the Senate should insist upon the amendment of the Senate. But from what the

members of the conference committee on the part of the House have stated to me I am positive that the statement made by the Senator from Virginia [Mr. MARTIN] is correct, that rather than recede they intend that the bill shall fail. I do not want to be one that will cause that to happen, especially for the reason that the department has called attention to the urgent necessity of the passage of this appropriation bill.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. Certainly.

Mr. GALLINGER. I will ask the Senator whether it would not be better legislation for the conference committee to report a disagreement and let the two Houses act upon the item in controversy rather than for the House conferees to communicate to an individual Senator what they propose to do?

Mr. SMOOT. Mr. President, only this morning the Senator from Virginia was speaking to me in relation to the question of reporting it in this way, and he decided it was best to bring it directly to the Senate rather than to have a disagreement and report a disagreement. The result, of course, would be the same.

Mr. GALLINGER. I have not examined the matter, but it occurs to me that this is a proposal to amend a bill that is in the hands of the conference committee. We have not jurisdiction of that bill at the present time, and, under the rule, I do not think we can take the action that is contemplated.

Mr. MARTIN of Virginia. Mr. President, I am sure the slightest examination on the part of the Senator from New Hampshire would satisfy him that he is mistaken about that. It has been done many, many times.

Mr. GALLINGER. Will the Senator point out an instance?

Mr. MARTIN of Virginia. It has been done many times. The papers are in the possession of the Senate. They are on my desk. When the Senate recedes from this amendment the bill becomes a law, if the President signs it.

Mr. GALLINGER. Has the Senator from Virginia the custody of the papers in his individual capacity or as a member of the committee of conference?

Mr. MARTIN of Virginia. I have them as the chairman of the conference committee. They are in the custody of the Senate, in a sense. They are in the custody of the Senate's committee now.

Mr. GALLINGER. Are they not equally in the custody of the committee on the part of the House of Representatives?

Mr. MARTIN of Virginia. That I consider entirely immaterial. I dislike to take the time of the Senate, but there are many, many precedents justifying this course.

Mr. GALLINGER. Mr. President, I will not ask the Senator to take the time of the Senate to read the precedents. I presume there are precedents on both sides, as usual.

Mr. MARTIN of Virginia. I have them right before me. I do not think there can be found a precedent that raises a doubt about the validity of the action which I propose.

Mr. GALLINGER. It seems to me that when a bill is sent to a conference committee it is in the custody of that committee, and that it is not competent for an individual member of the committee to bring the papers before either body and ask that the body shall recede from any action it has taken. If the precedents are all the other way, then I feel very much like Speaker Reed felt when he ruled a Member of the House out of order, and the Member next day called his attention to the fact that according to Reed's Rules the Member was in order; and the Speaker said: "Well, the book is wrong." I am still of opinion that when a bill is in the custody of a conference committee it is not competent for an individual member of that committee to bring it before the body with a view of amending it.

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. I yield to the Senator from Nevada.

Mr. NEWLANDS. May I ask the Senator whether the provision of the bill under dispute involves any change in existing law?

Mr. SMOOT. It does involve a change in existing law.

Mr. NEWLANDS. As such I believe it is subject to objection under the rules of both Houses.

Mr. SMOOT. No; it is not subject to an objection here, because the Senate has stricken out the provision of the House. It was subject to a point of order in the House, but the point was not made there. The Senate struck out the provision inserted by the House in the appropriation bill, and left the appropriation bill without the proposed amendment to the present law.

Mr. NEWLANDS. And left the existing law as it is?

Mr. SMOOT. And left the existing law as it is.

Mr. LEWIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. I yield.

Mr. LEWIS. I should like to ask the Senator from Utah if he now understands, in view of the observations of the Senator from Nebraska [Mr. NORRIS], that if the modification suggested by the House shall obtain that would eliminate the officers now in command or control at Danville, Ill.; or could it, in its ordinary operation, produce that effect?

Mr. SMOOT. I did not follow the time of expiration of the terms by States; but if the Senator will turn to page 260 of the Congressional Directory, he will find there the date of the expiration of that officer's term; and if the expiration of his term comes before the reduction, as they stand to-day, of the 11 members to 5, then, of course, he would be affected. On the other hand, if it does not, he would not be.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah further yield to the Senator from Nebraska?

Mr. SMOOT. I do.

Mr. NORRIS. I wish to inquire of the Senator from Utah, in relation to the answer he has just given to the Senator from Illinois, whether it is not true that each one of these soldiers' homes has a governor outside and distinctly independent of the board of managers?

Mr. SMOOT. Each one of them has a local manager.

Mr. NORRIS. He is called the governor, is he not?

Mr. SMOOT. And the local manager is a member of the Board of Managers of the National Home. That is the office I have been discussing.

Mr. NORRIS. The Senator certainly is mistaken about that. I thought his mind was cleared on that point when he read from the record that the State in which the home was located did not necessarily have to have a member of the board of managers. Besides the board of managers, as I understand—and I should like to be corrected if I am wrong—there is a local governor of the home. Referring particularly to the home at Danville, Ill., there is a governor of that home, and he is not a member of the Board of Managers of the National Home. If we should take them all away, it would not affect the particular officer about whom the Senator from Illinois has inquired of the Senator from Utah.

Mr. SMOOT. Mr. President, I understand that the governor to whom the Senator refers is not involved in this proposition. He may be the governor, but I am speaking now of the local manager; and all the local managers, 10 in number, are also members of the Board of Managers of the National Home.

Mr. NORRIS. No; the Senator is mistaken about that.

Mr. SMOOT. I have here the minutes of the meeting, and also a statement made by one of the managers of the home, and it—

Mr. BURTON. If the Senator will permit me, each soldiers' home has a superintendent.

Mr. SMOOT. He is designated the governor.

Mr. BURTON. Or governor; I do not know by what name he is called.

Mr. SMOOT. I may be mistaken in his exact designation.

Mr. NORRIS. He is not a member of the board of managers.

Mr. SMOOT. No; and he is not involved in this question at all.

Mr. NORRIS. The man at Danville now is not at all involved in this proposition.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. SMOOT. Let me ask the Senator from Illinois a question. Is there a member of the Board of Managers of the National Home from Illinois?

Mr. LEWIS. I would rather yield to my colleague, who is more familiar with the details of the matter than I am. I can not answer that question.

Mr. SHERMAN. If the Senator will permit me—

Mr. SMOOT. Certainly.

Mr. SHERMAN. There is a member of the board of managers from Illinois at the Danville home. There are several gentlemen scattered about over the country who are members of that board. It has been my pleasure to transact business not only with that board of managers, but with nearly every one in the United States within the last four or five years. There is uniformly a board of managers, if the Senator from Utah will permit me, that is local to each one of these branches of the home, located at different points in the United States. Out on the coast, in California, there is one. There is one in Wisconsin, at Milwaukee, or in the vicinity; and there are

others at different points. These managers are merely a local board; and they have under them, acting as the executive officer of the home, a governor or superintendent of that home in each place where one is situated.

Mr. SMOOT. Mr. President, in answer to the Senator from Illinois, I will state that I notice in the record that Capt. Lucian S. Lambert, of Galesburg, Ill., is a member of the Board of Managers of the National Home. Therefore he is involved in this question.

Mr. NORRIS. If the Senator will permit me, I beg to disagree with him. The Senator from Illinois inquired about the governor at Danville, Ill., and when I interrupted the Senator awhile ago I wanted to call attention to the fact that the governor or superintendent, or whatever the official title may be, at Danville, Ill., is in no way involved in the question now before the Senate. Capt. Lucian S. Lambert, of Galesburg, Ill., is a member of the Board of Managers of the National Home, and he has just as much authority in regard to the home in California as the home in Illinois. He does not live at Danville, and he has no control over that home except as a member of the board of managers, that board having control over all the homes.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Will the Senator from Utah yield to the Senator from California?

Mr. SMOOT. In just a minute. I will then gladly yield to the Senator.

The Senator from Nebraska is wrong, because the fact is that Mr. Lucian S. Lambert is not only a member of the Board of Managers of the National Home but he is the local manager, and it is his particular work to look after the interests of the home in Illinois.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Will the Senator from Utah now yield to the Senator from California?

Mr. SMOOT. I yield to the Senator.

Mr. WORKS. The Senator from Utah is mistaken. There is no such thing as a local manager. The managers may be appointed from anywhere, as I understand the law, and they may be assigned to any one of the homes thought desirable. Therefore it is not at all proper to say that they are local managers. Each home has a governor, who is local to that particular soldiers' home, but it is not so with respect to the managers at all.

Mr. SMOOT. Mr. President, all I am doing is to give the history exactly as it has been given to me. The Board of Managers of the National Home for Disabled Volunteer Soldiers consists of 11 members. There is 1 of those 11 who is president of the board, and the other 10, by the action of the board, are designated to certain homes. The home in Illinois is presided over, as far as the board of managers are concerned, locally by the member designated by the board of managers of the national home as the local manager.

Mr. NORRIS. Mr. President, will the Senator yield to me there?

Mr. SMOOT. Certainly.

Mr. NORRIS. That is Capt. Lucian S. Lambert, is it not?

Mr. SMOOT. That is right.

Mr. NORRIS. He lives at Galesburg, does he not?

Mr. SMOOT. He does.

Mr. NORRIS. The home is located at Danville.

Mr. SMOOT. That is true.

Mr. NORRIS. Does he draw a salary?

Mr. SMOOT. He does not.

Mr. NORRIS. Does the Senator wish the Senate to understand that the gentleman who has charge of the home at Danville, Ill., manages it and performs all the duty without a salary?

Mr. SMOOT. I do not. There is a governor or superintendent who gives his personal attention to the detail work of the home, but the Board of Managers of the National Home designated Capt. Lambert as the local manager representing that board, and that is what he does.

Mr. NORRIS. They might send him there.

Mr. SMOOT. It is not a question of sending him there. He is designated.

Mr. NORRIS. What does his designation mean?

Mr. SMOOT. His designation means that he shall look after the interests of the home as the representative of the board of managers.

Mr. NORRIS. What authority has he? Has he any other authority except that which the board give him? And have they not the same right to give him the same authority over any other home in the country if they want to do so?

Mr. SMOOT. Nobody has stated that they could not assign him to any other home. The only authority he has he gets from the board of managers itself.

Mr. NORRIS. I ask the Senator which one of the board of managers runs the home in Virginia? Will the Senator give me that information? And while he is getting that, it may be that he can give me the name of the man who runs the soldiers' home in South Dakota; and while he is looking for South Dakota he might think about Kansas, too, and tell us who is running the Kansas institution.

Mr. SMOOT. I do not know what the Senator means as to running—whether he means the superintendent—

Mr. NORRIS. I understood the Senator to say that one member of the home is designated to take exclusive charge of one home.

Mr. SMOOT. I did not say that he had charge; I said that he would look after the interests of the home.

Mr. NORRIS. The Senator did not use that language, but I have used language of the same import; and if he does not mind I wish he would tell us now what he does mean.

Mr. SMOOT. I do not know that it is necessary to repeat; but I will say that there is a Board of Managers of the National Home consisting of 11, and that those 11 members designate one of the board to supervise, as it were, a particular home; and his special work as a member of the board of managers is to look after the interests of the home to which he is designated.

Mr. NORRIS. Will the Senator tell us which one supervises and looks after the home in Virginia and the one in Kansas and the one in South Dakota?

Mr. SMOOT. I have not the list.

Mr. NORRIS. The Senator has the list in his hand right there; his fingers are on it.

Mr. SMOOT. I will say that I can give it from the Congressional Directory quicker than to hunt anyone out. Lieut. Franklin Murphy would look after the home in New Jersey; I do not mean as superintendent, but he is designated by the board of managers as local manager.

Mr. GALLINGER. To visit it.

Mr. SMOOT. If there is no home in New Jersey, he is designated to some other State that has one.

Mr. NORRIS. I asked the Senator a particular question in regard to three separate homes.

Mr. SMOOT. Then in Kansas City, Mo., there is a home, and William Warner is designated as local manager of it.

Mr. NORRIS. I did not ask the Senator about that.

Mr. SMOOT. He is the local manager representing the board of managers at that home.

Mr. BRISTOW. The Senator from Utah will have to guess again. There is no home at Kansas City, Mo.

Mr. SMOOT. I did not mean at Kansas City. I meant the home in Kansas.

Mr. BRISTOW. Kansas City, Mo., is in Missouri, and there is no home in Missouri that I know of.

Mr. SMOOT. Is there not one in Leavenworth?

Mr. BRISTOW. In Leavenworth, Kans., and Leavenworth, Kans., is a different city from Kansas City, Mo.

Mr. NORRIS. I ask the Senator who is designated by the board to look after the home in Kansas. I should like to have him give the name.

Mr. SMOOT. I understand, of course—

Mr. STONE. Mr. President, the Senator from Utah is killing a great deal of very valuable time. There is no such thing as a Federal soldiers' home in Missouri. There are two State soldiers' homes.

Mr. SMOOT. I have not yet said that the members of the Board of Managers of the National Home are appointed to the home of the State that they live in, but they are appointed to represent some particular State. There is no doubt about it.

Mr. WORKS. I should like to ask the Senator from Utah if there is any such officer as superintendent of the soldiers' home.

Mr. SMOOT. I think he is designated governor.

Mr. WORKS. Of course.

Mr. ROOT. May I make a suggestion?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. Certainly.

Mr. ROOT. I think this board of managers is practically a legislative body for the soldiers' home in its various branches, and one member is made practically a subcommittee of the board to look after the affairs of the home which happens to be most convenient to his residence. It may be in the same State where he lives or in a neighboring State. Each home has its management complete, its governor, its executive force, and the supervising body of all is the board of management, who may appoint subcommittees.

Mr. WORKS rose.

Mr. ROOT. Let me say one word further while I am up. I think the Senator from Virginia [Mr. MARTIN] is right, and I hope his motion will prevail, for from some knowledge gained officially years ago of the working of this system and from what I understand to be the opinion of Mr. Wadsworth, the president of the board, I think we would have better administration with a board of 5 than with a board of 11. Better administration, after all, is what we want to accomplish, and that, after all, is what is for the benefit of the great body of old veterans who are in these homes; and because I think that would be the result I am in favor of the motion of the Senator from Virginia.

Mr. SMOOT. Of course I do not believe that the result would be the better management of the homes, but, as I said before, rather than see the great civil sundry appropriation bill fail I shall vote for the motion of the Senator from Virginia.

Mr. NEWLANDS. Mr. President, as I understand it, the question involved here is a change in existing law by means of an appropriation bill, a practice which is denounced by the rules of both Houses. The last House determined to relax that rule and to carry through matters of general legislation upon appropriation bills, and insisted upon such legislation, notwithstanding the protest of the Senate; and this practice is repeated at this session in the reenactment of the sundry civil bill, which was vetoed at the last session.

I think the practice of general legislation upon an appropriation bill is bad, and that is the judgment of both the Senate and the House, as expressed by their rules. We had a realization of the evil of this practice during the last Congress when, without consulting the proper committees, without debate involving the special subject, the House sought, through the action of an Appropriation Committee, to put upon the bills legislation of a general character and of the highest importance; and there was hardly a case where this legislation was not, in my judgment, ill-considered and prejudicial.

I recall that one amendment was offered which would have demoralized the entire civil service of the District of Columbia, practically bringing to a termination the official lives of all the clerks employed in the District of Columbia at the end of five years and submitting them to all the uncertainties and harassments incident to temporary employment, and also subjecting the Government, in my judgment, to the inconvenience of an ill-trained body of public servants. Fortunately that amendment was beaten finally by the veto of the President, if my memory serves me right.

Another amendment provided for the absolute abolition of competition in architecture under the noted Tarsney Act, a bill introduced by a Democrat and put through by a Democratic Congress, an act which has been of the highest service to the country, insuring the enlistment of the highest artistic and architectural capacity in the service of the Nation through a competitive test. That amendment was forced through against the protest of the Senate, without the consideration of the proper committees either in the Senate or the House, and by mere tenacity of purpose and resoluteness of will upon the part of the House managers.

And now to-day we have another change in existing law about to be forced upon us by the House. One would think that when the Senate managers object to such a change and insist upon its being made through the usual forms of law the House, obedient to its own rules and to the established procedure of legislative bodies, would recede from its indefensible position. But we are told by the managers upon the part of the Senate that the House insists, and that the bill will fail unless the Senate yields to this departure from well-established legislative procedure. We are called upon to consent to revolution in our legislative methods, and we are not only called upon to consent but we are forced to consent.

Mr. MARTIN of Virginia. With the permission of the Senator from Nevada, although it is not at all conclusive of the question, I think it is just to say that the House conferees rest their position largely on the fact that this provision was agreed to by both Houses of Congress at the last session. They contend that the two Houses reached an agreement; that not only the conference committee agreed to it but that the House adopted the report of the conference committee. They feel that they ought not to be required to change now. I say that not because I think it is conclusive, for the matter is still open; it is not the law, but it is for the two Houses to determine whether it shall be the law.

I felt in justice to the situation presented that I should state to the Senate that the House conferees rested largely on the fact that the two Houses once agreed to the provision which they now insist upon.

Mr. NEWLANDS. My answer is, Mr. President, if the two Houses agreed it was because the House persisted to the end in

revolutionary methods. There must be an end to patience, in my judgment, and the Senate should stand not only for its own dignity, but for the verity and the correctness of legislative procedure.

Mr. President, where will this end? If the Senate yields once and yields twice and yields thrice and always yields we will have a revolutionary body in the House composed of the Appropriation Committee, which with the consent of that body will do the legislation for every committee in both bodies, which will initiate general legislation upon appropriation bills, which will initiate changes in existing law and carry them through the House, and then by fixity of purpose and pertinacity force their will through the Senate.

I believe this practice is a vicious one, and I believe it is time for the Senate to take a stand.

Now, Mr. President, I wish to pass to a matter personal to myself and to make a personal statement regarding the position which I took in a speech on the 16th of May last regarding the sugar and the wool schedules of the tariff.

[The further remarks of Mr. NEWLANDS, with insertions and appendices, are printed in the Appendix.]

Mr. SHERMAN. Mr. President, possibly the effect of the amendment made to the existing method of management is misapprehended. The present method of managing the homes maintained by the Government is through a superintendent or commandant. He is the executive officer representing the board of managers at that particular home. He exercises all of the executive and managerial power that is vested in any public officer, as a matter of fact. Whatever the legal theory may be under which he is appointed or exercises the power of his office he is the actual executive on the ground administering the affairs of that particular institution. He is appointed in the first instance nominally and in many instances really by the board of managers.

The board of managers consists of 11 men, appointed from various parts of the country, together with the ex officio members of the board of managers, the President of the United States, the Chief Justice, and the Secretary of War. Of the 11 members appointed, outside of those designated, there are 3 of them whose terms expired in 1912. These, I think, without exception, hold over. No reappointments have been made, so far as I can find. Four of them have terms expiring in 1914 and four of them in 1916.

The provision of the House proposing the reduction of the actual membership of the board from 11 to 5 does not produce either economy or efficiency. It does not produce economy because the reduction of the board from 11 to 5 does not dispense with the performance of any duty. It does not reduce the compensation paid by a single dollar.

These homes range territorially from California to Maine, from South Dakota, I believe, to Virginia. In the Mississippi Valley they run from Leavenworth, Kans., to Marion, Ind. Those 11 men, as a matter of fact, do not exercise managerial or executive power in the management of these institutions. They exercise technically supervisory power. Their proper legal function, Mr. President, their actual power, is more that of a visitorial committee. However it may be regarded from the real point of view as to whether this is a charity or not, not only the theory of the law but the idea on which appropriations are made and expended is that this is a governmental charity.

I have not thought that in legislation that was a proper way to designate it. I have always felt in justice to those receiving relief that some explanation should be made. It is more properly the payment of a preexisting debt, but in the classification by the acts of Congress those institutions are regarded as great public charities. Eleven of them are maintained by the Government under appropriations.

If these be taken in their legal signification as public charities, Mr. President, the board of managers actually exercise no power save that of visitation. The visitorial powers of the 11 men are for the purpose of keeping the charity within the purposes of the founder. The founder in this instance is the Government. The object of this visitation is to keep not only the expenditures within bounds for the purposes for which the appropriation is made, but to keep the executive or managerial officer at the head of the institution in the constant and faithful discharge of his duties in order that the purposes of the founder of the charity may be effectually accomplished.

There will be no economy in the exercise of the reduction proposed by the House, because reducing the number to five will not reduce the duties to be performed. The five men remaining, when they shall have accomplished its purpose, must cover the territory and perform the supervisory and visitorial powers from California to Maine and from the Dakotas to Vir-

ginia. It will not reduce their expenses because no salary is paid. It is purely a labor in which the duty done is the sole compensation for the person performing it.

When the expenses of the visitorial committee—and that is what this is, as a matter of fact—have been discharged, the sole purpose of their creation is ended. All they have is their traveling expenses. Beyond that there is not a dollar from the Government when the visitation is performed by the five men, the number which this reduction proposes. When that has been fully performed by the five men, their expenses in traversing the territory covered by the homes and in the performance of their duty will equal now the expenses, with but very little difference, if any, of the 11 men now provided by the act of Congress. The governors of the homes are appointed by the board of managers. Ordinarily if any suggestion is made by the Chief Executive, who is responsible not only for the proper appropriation but for the administration of the funds, it is heeded. It is very similar to the appointment of like boards inside the State governments; when the managerial officer is appointed he only executes the general policy in the outline given him by the appointing power. In every instance, however, the commandant or superintendent on the ground is the responsible officer administering the affairs of the institution, expending the money, as a matter of fact. Under his direction the bills are verified and audited and the care of the inmates is had pursuant to the appropriation. The board seldom goes back of the recommendation of the managing officer.

Now, there will be no economy, because the 5 men must perform the duties of 11.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. SHERMAN. Certainly.

Mr. WORKS. I desire to ask the Senator from Illinois whether the board of managers has headquarters anywhere?

Mr. SHERMAN. I do not know. I never have been able to locate them when I wished to reach them.

Mr. WORKS. Is it not a fact that they sometimes gather together and have a meeting of some sort?

Mr. SHERMAN. Yes, sir; I think they do; but I do not know where.

Mr. WORKS. Then, I suppose 11 of them would have to travel to that meeting, wherever it might be held. And does the Senator not think it would cost a little more for 11 of them than for 5 to travel to headquarters to hold their meetings?

Mr. SHERMAN. It would cost about 2 cents a mile.

Mr. WORKS. I am quite sure that the member of the board from California goes to New York once in a while to meet with the board of managers.

Mr. SHERMAN. Certainly.

Mr. WORKS. And I know by experience that it costs something to travel from California to New York and return.

Mr. SHERMAN. It does under existing conditions. Let me reply further to the suggestion of the Senator from California, which is a practical and sensible one, that when the number of managers is reduced to five all of them would not be in or near New York City or the State of New York, but one is just as apt to be in California and another in Washington as to be adjacent to or within a day's travel of the branch homes.

So far as mileage may be involved in the supposed economy, with the reduction of the number of the board of managers to five, as much travel will be necessary for one man, if he chances to live in Oregon or California, to attend the meetings of the board in St. Louis or New York as is the case now, although there might be less travel by 5 men than by 11. Where the meetings of the board of managers may hereafter be held would determine the question whether the mileage would be greater or less under the change than under the existing plan. I do not think anybody can successfully say that there will be economy in the traveling expenses of the board unless he knows where the board as hereafter constituted will have its place of residence and further where it will hold its meetings when organized.

I think universal experience argues against the proposition that efficiency is promoted by consolidating or by reducing the number of such a body. If there was anything in the argument that efficiency would thereby be promoted I would gladly vote for the proposed change. The question of efficiency, however, when the number is reduced from 11 to 5 could not be established by any known process of reasoning. Diverse managements consolidated increase efficiency. This is not what is proposed in this amendment, however. Eleven men now exercise supervision over 10 institutions. Five men under the proposed change will be required to cover the same institutions, which are scattered in various parts of the country. Those 5 men must exercise the visitorial powers now exercised by 11.

In every instance where boards exercising supervision of public charities having enlarged powers and some authority in the actual administration of the institution have been consolidated and their membership reduced it has been found necessary to supplement them by auxiliary boards of visitors to discharge the visitorial duties which a consolidated board, with a lesser number, has been found incapable of discharging, in view of the time they can afford to give without compensation to the performance of that duty.

I do not know of an instance of a board charged with the supervision of a State charity being reduced from a larger number of men to a smaller number of men, working without compensation, where the effective visitation of the charity has not been compelled to be performed by the creation of an auxiliary board, either local or general, to perform some of the visitorial functions formerly performed by the larger body.

There is no limitation as a matter of law from what section of the country the 11 members constituting the present board may be selected, but, if my memory is not wrong, 7 of them at least are appointed from States in which the Government has located branch homes; 3 are appointed from States in which no home is located, and 1 of them, Maj. Warner, of Missouri, is appointed for and acts in the capacity of local member of the board for the home in Leavenworth, Kans., which is a short distance from his home. As a matter of fact, the most effective supervision can be given by some one who does not find it necessary to travel across the continent in order to reach the institution of which he has supervision. A man within a day's travel can reach the institution more readily and give better service than one who has to travel clear across the continent. Prudence as well as an efficient management of the institution would dictate that some member of the board should live near by.

Mr. President, it seems to be the prevailing thought here that if the board should be reduced from 11 to 5 greater efficiency will be produced. I have not a particle of interest in these matters, for I do not expect as a member of the minority party to be consulted concerning such an appointment within the next four or five years; and I feel greatly relieved thereat. I have no purpose in view other than the efficient administration of the 10 branch homes in which are gathered a large number of the surviving veterans of the Civil War who find it necessary to receive care in that way.

For over four years I was connected in a managerial and executive way with institutions of this character. We had more than 20,000 of the unfortunate wards of the State in our care, with 2,600 employees on the pay roll, and administered over \$5,000,000 annually for their care. A single board possessed executive and managerial power over all those institutions; but with the added burden laid upon the board, with its concentrated and extensive power, in addition to the power given the superintendent or executive on the ground of the institution, we found it indispensable in the discharge of the visitorial powers that were necessary to be exercised at least once every 30 days for the efficient management and for the execution of the purpose of the charity to create auxiliary boards of visitation that would more fully supplement our visitation in order more thoroughly to carry out the purposes of the law. Some of such boards were local, some of them were district, and some of them State wide; but all of these visitorial powers could not in the nature of things be fully exercised by a body of five men serving without pay.

I do not say that everybody works exclusively for salary. There are Members of the Senate who have performed, with utterly inadequate or with no compensation, great public services beyond price, and whose value to the Government is incapable of computation in money, but those instances are few. In some far-distant age we shall reach a time when we shall all be philanthropists and will work for the public for nothing, but as it is we have got to take human nature as we find it. If you select five men for members of the board of managers and require them to cover an area that reaches from shore to shore, asking them to give up their time and return to them nothing but their traveling expenses, you will not get as good visitation and you will not have the charity founded by the Government as well cared for as you will if you have 11 men who will necessarily perform the service in a more subdivided and general way. The burden will not be as heavy on them as it would be on 5.

It is not a question of economy at all; it is a question of efficiency. The reduction of the number is a reduction of the efficiency. Efficiency would be conserved by retaining the 11 men. I understand it carries in the neighborhood of \$4,000,000 for the maintenance of the homes.

Mr. STERLING. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from South Dakota?

Mr. SHERMAN. Certainly.

Mr. STERLING. I hardly ask the Senator to yield for the purpose of asking a question or questioning what he has said, only I understood the Senator to say that he did not know that the section of the country from which the managers are appointed was in any way limited or restricted.

Mr. SHERMAN. Yes, sir.

Mr. STERLING. I simply call the attention of the Senator and of the Senate to the provision found in the act approved March 2, 1887. By this act the number of managers was increased from 9 to 10, and there is a provision in the act that—

One of whom shall be a resident of a State or Territory west of the Rocky Mountains.

That is the only limitation which I have found. There is a subsequent act, which reads—

Mr. SHERMAN. May I inquire, for information, to what institution that refers?

Mr. STERLING. It refers to the soldiers' home in California. The section provides for the appointment of an additional manager—William Blanding, of San Francisco, Cal.—and then provides, in general terms, that one of the board shall be a resident of a State or Territory west of the Rocky Mountains.

Mr. SHERMAN. Mr. President, I do not care to say much more on this subject. There has been some criticism of this method of amending a law that is not concerned in the bill which seeks to amend it save as it provides money for the purpose of carrying out the provisions of that law. Generally the right way to amend a law is by a bill that does so in express terms and not in an indirect and evasive way. It has not been many weeks since I heard criticisms on the side of this Chamber where I belong for the present in regard to the method of amending a general law by riders in an appropriation bill. Those criticisms appealed to me; they always have. I think the courageous, the honest, way to legislate is by your bill to go directly to the point to be reached. This is a method of monetary coercion. It is said to us in substance, "We do not care what your views may be or what you may think of the merits of the law as it now is, but if you do not concur with us in amending the law we will deprive you of the money which maintains the institutions affected; agree with us or we will take away the means whereby these institutions may be maintained."

In the stress of political emergency, in the warfare in which everything is supposed to be fair, where even the Constitution is not permitted to stand "between friends," I can understand that any means are regarded as justifiable that will reduce the enemy to a state of insensibility or inaction, but I can not understand why this method of monetary strangulation should be adopted here in connection with a great public charity maintained by the Government for those who saved it in its hour of peril.

It may not be material; I do not know. Perhaps these homes may be just as well administered under 5 as under 11 managers; but if you want to amend the law, amend it directly and do not undertake to amend it by this indirect method of cutting off the means of subsistence. That may not be done; one House or the other may recede; that is true; but suppose that does not happen. If the two coordinate branches do not agree, what is the necessary effect? I prefer to measure things by their necessary effect. The effect of this would be, if the Senate adheres to its amendment and the House adheres to the provision it wrote in the bill, which amends the general law governing this charity, that there could be nothing whatever but a legislative deadlock and the failure of the bill. So the motive that lies back of the legislative mind, the proposition of the men who wrote that into the bill, is, in effect, "Agree with us or we will kill your charity by withholding the money for its maintenance." If you will bring up the question of amending the act by which these great institutions were founded by the Government and present clearly the question of whether a reduction shall be had in the number of the board of managers from 11 to 5, then we can meet it on a different ground.

I do not care to wander very far afield here. I understand that under the present rules of the Senate I can read anything, Mr. President, from a Talmud to the last Democratic platform, if I so desire. I may never have an opportunity to do so, because I understand there is on the calendar a proposed amendment to one of our rules that will prevent these pleasing excursions far afield, and that hereafter we will have to stick to the text, and, like a good minister in a country congregation, when we wander from it we shall do so at the peril of losing a congregation or of receiving the censure of the Senate for departing from the rules.

In reference to the matter which we are called on to decide, it occurs to me, Mr. President, that we ought to stick to the law

as it now is. These 11 men serve without pay. Their traveling expenses are the sole charge on the Government Treasury. I do not know what their traveling expenses are. I know if they audit the traveling expenses of the Federal officers as they audit my expenses, no official can put anything in his account that ought not to be there. I know we pay our own porters; I know we pay our own waiters; I know the Government reduces us down to the skeleton and the running gear of a traveling man's expenses. I do not know what the Government does in this case, but I apprehend that there is nothing in the way of fancy frills when you come to charge up your expense account.

If that is so, what does this amount to? A few thousand dollars at best. If a report could be had of the traveling expenses of the members of the board for the last year, it would be very trivial. The time consumed by my genial friend, the Senator from Nevada [Mr. NEWLANDS], and others here this afternoon, if we could put it on a cash basis of what such ability and genius is worth, would far exceed in value the allowance for the traveling expenses for an entire year of these gentlemen who are to be deprived of their offices. There is one gentleman on the list from my State, I believe—Dr. Lambert. I can say with entire confidence, Mr. President, regarding ourselves now as in executive session, and not to be repeated to the profane ear of the general public, that he has not, I believe, been affiliated with the element of my party with which I have had the fortune or misfortune to be identified for many years in that State. He and I likely have no particular political affinity, to put it in as mild terms as I possibly can. I am not acting here solely to try to prolong his official existence. There is not a trace of selfishness in this. I approach the consideration of the matter in a judicial aspect, as far as is possible in this body. I am quite sure that with him on the board as a member, performing visitatorial functions, there will be an efficient, full discharge of that duty. He is a competent man; he stands well in his profession. He never fails in his duty.

The same thing may be said of the member of the board from Missouri, who, I understand, performs official duties at Leavenworth, Kans. These 11 men, whatever they may perform in the way of actual duty, get nothing under the sun but the approval of their own consciences.

There is another thing: The more numerous you have a committee charged with the powers of visitation, where they are men of the proper kind, the more thoroughly the duty of visitation will be performed. The object of a visitation from the days when the law was laid down by the Crown lawyers in the mother country, when the right of visitation was retained by the founder of a private charity or by the Crown in a public charity, was to hold those who discharged their duty and expended the money strictly within the line of the charity and to see that the beneficiaries of the charity received full measure for the money expended.

If there is efficiency in reducing the number of nonsalaried members of a visitatorial committee, then reduce the membership to one. One man can do the work as well as 11; 1 man can do it as well as 5; and if there is merit in this idea of consolidation and reduction of numbers one can do the work more expeditiously. He can agree with himself most of the time. There will be no discussion, no loss of time in debating questions. There can be instant executive action. But it is an impossibility for one man—and that is what the wisdom of the ages has told us—ever to be an efficient visitatorial body. It takes more than one man in order to correct the inefficiencies of another; and in this combination of men a numerous visitatorial body is the one that in every instance has produced the most efficient results.

I do not know that these powers of visitation could be adequately exercised by five men. It can not be done in smaller jurisdictions. It has been found by experience, it has been worked out and tried, not upon the theories of those who have sat down in a committee room and framed things on paper, but by those who have actually administered these charities in the field. In order to make them efficient these boards that have been auxiliary for visitation purposes have been established to supplement the efforts of the main body. If this change is once introduced into the code of laws governing the Government charities, it will remain in that way. Whatever injury may result from a lack of efficient supervision and visitation will have been accomplished.

I hope that this change in the law that is contemplated by the House and that has been stricken out by the Senate will remain stricken out, and that the Senate will adhere to the amendment made in this body and seek to induce the House to recede from the obnoxious provision that is there introduced.

Mr. LEWIS. Mr. President, the mere fact that a large property and some announced political interest is situated in the

State which I have the honor to represent, together with my colleague, justifies the moment that I will occupy upon this subject.

I think parliamentary history reminds us in somewhat facetious tone that when Edmund Burke was making his contest for the seat at Bristol he was accompanied by his colleague, a Mr. Barksdale; and, after having made a most eminent and excellent presentation of his position, Mr. Burke concluding the oration, Mr. Barksdale rose and, conscious he could add nothing that would illuminate the subject, said, "I say ditto to Mr. Burke."

I am content, after hearing the splendid argument of my colleague and the reasons advanced by him, to add my approval to his observations and say "ditto" to my distinguished colleague, and give my approval and support to the motion of the Senator from Virginia.

Mr. WORKS. Mr. President, in my judgment the two Houses of Congress have been differing for some weeks or months about a matter of very little consequence. I do not think it makes very much difference whether this board of managers consists of 5 members or of 11. As the Senator from Illinois has said, it will make very little difference so far as the matter of expense is concerned.

If I had my way about it there would not be any board of managers. They have never amounted to very much, anyhow. We know something about that out in California. The conditions in the Pacific Home were such that I thought it my duty to call upon the Senate to order an investigation of the conditions in that home. That was done, and a very careful and thorough investigation was made of the home by a subcommittee of the Committee on Military Affairs. It showed a very deplorable condition of things. The old men in that home who were practically—whatever we may call it—objects of charity had been sorely neglected. They had their local manager living at Pasadena, near by; but for some reason their comfort was not properly looked after. I do not know who should be held responsible for it, but the fact existed and was clearly demonstrated by the investigation I have mentioned. As a result of that condition of things a bill was introduced at the last session by one of the members of the Committee on Military Affairs, proposing to transfer this home to the War Department, where, in my judgment, all of them should be.

I should much rather see an amendment, if any is to be made here at all, abolishing the board of managers entirely and transferring the management and control of these homes to the War Department, where I believe these old men would be better cared for than they are now.

So far as this particular question is concerned, I think it is a matter of very little consequence, as I said in the beginning; but I hope Congress will yet reach such an understanding of the conditions existing that it will transfer all of these homes to the War Department.

The VICE PRESIDENT. The question is on the motion made by the Senator from Virginia [Mr. MARTIN] that the Senate recede from its amendment numbered 2 to House bill 2441.

Mr. BURTON. On that I ask for the yeas and nays.
The yeas and nays were ordered.

Mr. BRISTOW. Mr. President, I was not in the Chamber when the Senator from Virginia made the explanation. Do I understand that it is proposed to recede from the Senate amendment, and that the House provision, reducing the number of members of the board of managers from 11 to 5, will stand if the motion of the Senator from Virginia prevails?

Mr. MARTIN of Virginia. That is correct. I make the motion for the reason that we are holding up appropriations to the amount of \$116,000,000, that the departments of the Government insist they need daily, and that the public service is being injured by the delay, all owing to the simple difference between 5 managers and 11 managers of these homes.

The VICE PRESIDENT. The Secretary will call the roll.
The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a pair with the junior Senator from Pennsylvania [Mr. OLIVER], who is absent from the Chamber. I therefore withhold my vote.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. Not observing him in the Chamber, I withhold my vote for the present.

Mr. FLETCHER (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Ohio [Mr. POMERENE] and will vote. I vote "yea."

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS].

I transfer that pair to the junior Senator from Louisiana [Mr. RANDELL] and will vote. I vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. Not knowing how he would vote on this question if present, I withhold my vote.

Mr. THORNTON (when Mr. RANDELL's name was called). I wish to announce that the junior Senator from Louisiana [Mr. RANDELL] is absent from the Chamber on account of illness.

Mr. SAULSBURY (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. COIT]. I transfer that pair to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. CLARKE]. In his absence, I withhold my vote.

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is unavoidably absent from the city. He has a general pair with the senior Senator from Florida [Mr. FLETCHER].

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]; but believing for good reason that he would vote just as I shall on this question, I will take the liberty of voting. I vote "yea."

The roll call was concluded.

Mr. GALLINGER. I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the senior Senator from Rhode Island [Mr. LIPPITT] and will vote. I vote "nay."

Mr. SIMMONS. I vote "yea."

Mr. BANKHEAD. I have a pair with the junior Senator from West Virginia [Mr. GOFF]. I transfer that pair to the senior Senator from Arizona [Mr. SMITH] and will vote. I vote "yea."

Mr. BACON. The senior Senator from Minnesota [Mr. NELSON] is absent upon business of the Senate, and I have agreed to protect him while he is engaged on that business. For that reason I withhold my vote, not knowing how he would vote. If he were present, I should vote "yea."

Mr. GALLINGER. I have been requested to announce that the Senator from Idaho [Mr. BORAH] is paired with the Senator from Virginia [Mr. SWANSON], that the Senator from Connecticut [Mr. BRANDEGEE] is paired with the Senator from South Carolina [Mr. TILLMAN], that the Senator from Maine [Mr. BURLEIGH] is paired with the Senator from Tennessee [Mr. SHIELDS], that the Senator from Iowa [Mr. KENYON] is paired with the Senator from New Jersey [Mr. MARTINE], that the Senator from Michigan [Mr. SMITH] is paired with the Senator from Missouri [Mr. REED], and that the Senator from Massachusetts [Mr. WEEKS] is paired with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 46, nays 12, as follows:

YEAS—46.			
Ashurst	Hollis	Myers	Smith, Ga.
Bankhead	Hughes	Norris	Smoot
Bradley	Jackson	Owen	Sterling
Bristow	James	Pittman	Stone
Bryan	Johnston, Ala.	Poindexter	Thomas
Chilton	Kern	Robinson	Thompson
Crawford	La Follette	Root	Thornton
Fall	Lane	Saulsbury	Vardaman
Fletcher	Lea	Shafroth	Williams
Gore	Lewis	Sheppard	Works
Gronna	McLean	Shively	
Hitchcock	Martin, Va.	Simmons	
NAYS—12.			
Brady	Clark, Wyo.	Johnson, Me.	Page
Burton	Dillingham	Jones	Sherman
Catron	Gallinger	McCumber	Townsend
NOT VOTING—38.			
Bacon	du Pont	Overman	Smith, S. C.
Borah	Goff	Penrose	Stephenson
Brandeggee	Kenyon	Perkins	Sutherland
Burleigh	Lippitt	Pomerene	Swanson
Chamberlain	Lodge	Randsell	Tillman
Clapp	Martine, N. J.	Reed	Walsh
Clarke, Ark.	Nelson	Shields	Warren
Coit	Newlands	Smith, Ariz.	Weeks
Culberson	O'Gorman	Smith, Md.	
Cummins	Oliver	Smith, Mich.	

So the motion of Mr. MARTIN of Virginia was agreed to.

The VICE PRESIDENT. The Senate having recessed from amendment No. 2 to House bill No. 2441, the bill stands passed.

INDIAN APPROPRIATION BILL.

Mr. STONE. I ask unanimous consent that the Senate take up House bill 1917, the Indian appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1917) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914, which had been reported from the Committee on Indian Affairs with amendments.

Mr. STONE. I ask that the formal reading of the bill may be dispensed with, and that the amendments of the committee may be acted upon as they are reached in the reading.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Indian Affairs was, on page 2, line 9, after the word "law," to strike out "\$220,000" and insert "\$200,000," so as to read:

For the survey, resurvey, classification, appraisalment, and allotment of lands in severalty under the provisions of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey and allotment of lands in severalty to Indians; and for the survey and subdivision of Indian reservations and lands to be allotted to Indians under authority of law, \$200,000, to be repaid proportionately out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purpose and to remain available until expended.

The VICE PRESIDENT. Without objection—

Mr. LANE. There is a matter concerning this which I should like to have explained. I am not familiar with the procedure here as to the way the bill is to be considered. Is each clause to be considered by itself?

The VICE PRESIDENT. The bill is now being read for action on the amendments of the committee.

Mr. GALLINGER. I will inquire if the proposed amendment of the committee has been read.

The VICE PRESIDENT. The first amendment has been read. The Chair was inquiring whether there was any objection to the amendment. Is there objection to the amendment?

Mr. LANE. To what amendment?

The VICE PRESIDENT. To the amendment on page 2, line 9.

Mr. LANE. The amendment reducing the appropriation from \$220,000 to \$200,000?

The VICE PRESIDENT. That is the amendment.

[Mr. LANE addressed the Senate. See Appendix.]

Mr. PITTMAN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Lewis	Sherman
Bacon	Gore	McCumber	Shively
Bankhead	Gronna	McLean	Smith, Ga.
Brady	Hitchcock	Myers	Smoot
Bristow	Hollis	Norris	Sterling
Bryan	Hughes	O'Gorman	Stone
Burton	Jackson	Owen	Thomas
Catron	James	Page	Thompson
Chamberlain	Johnson, Me.	Pittman	Thornton
Chilton	Johnston, Ala.	Polindexter	Townsend
Clapp	Jones	Robinson	Vardaman
Clark, Wyo.	Kern	Root	Williams
Crawford	La Follette	Saulsbury	Works
Dillingham	Lane	Shafroth	
Fall	Lea	Sheppard	

Mr. THORNTON. I desire to announce the absence of the junior Senator from Louisiana [Mr. RANSDELL] from the Chamber on account of illness. I ask that this announcement stand for the day.

The VICE PRESIDENT. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. STONE. It is growing late, and I wish to ask unanimous consent that the bill before the Senate be made the unfinished business of the Senate.

The VICE PRESIDENT. It becomes that on the adjournment.

Mr. STONE. If that is the case—

Mr. SMOOT. Automatically, under the rules.

Mr. LA FOLLETTE. It will be the unfinished business.

The VICE PRESIDENT. It will be the unfinished business on adjournment.

ADJOURNMENT TO TUESDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Monday next at 12 o'clock.

The motion was agreed to.

Mr. KERN subsequently said: I move to reconsider the vote by which the Senate agreed that when it adjourns to-day it be to meet on Monday next at 12 o'clock m.

The motion to reconsider was agreed to.

Mr. KERN. I move that when the Senate adjourns to-day it be to meet on Tuesday next at 12 o'clock m.

The motion was agreed to.

RECEPTION OF HON. LAURO MULLER.

Mr. O'GORMAN. Mr. President, Dr. Lauro Muller, the secretary of state of the Republic of the United States of Brazil, is in the anteroom. I ask unanimous consent that the distinguished visitor be invited to enter the Chamber, and for that purpose that the Senate take a recess of 10 minutes so that he may have an opportunity of being presented to the Vice President and Senators.

I may add that the distinguished Brazilian comes to this country on an errand of comity and friendship. I know he will be gratified with the opportunity to meet the Members of this Chamber, and I may confidently assert that Senators will be glad to meet him.

The order submitted by Mr. O'GORMAN was read and unanimously agreed to, as follows:

Ordered, That the minister of foreign affairs of Brazil, Dr. Muller, be admitted to the privileges of the floor of the Senate, and that to enable the Members of the Senate to exchange courtesies with him the Senate do now stand in recess for a period of 10 minutes.

The Senate thereupon took a recess for 10 minutes, during which time the Senators paid their respects to the distinguished visitor. At the expiration of the recess (at 5 o'clock and 30 minutes p. m.) the Senate was again called to order by the Vice President, who said:

I am directed by Dr. Muller to extend his thanks to the Members of the Senate and his appreciation of the courtesy extended to him, and although I do not understand the language in which he spoke, yet I will express his words in Hoosier language, which are that he considers this a red-letter day of his visit to this Republic.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 50 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until Tuesday, June 17, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 13, 1913.

ASSISTANT TREASURER OF THE UNITED STATES.

Willard D. Vandiver, of Missouri, to be Assistant Treasurer of the United States at St. Louis, Mo., in place of Oscar L. Whitelaw, whose term of office expired by limitation May 31, 1913.

COLLECTOR OF INTERNAL REVENUE.

Milton A. Miller, of Oregon, to be collector of internal revenue for the district of Oregon, in place of David M. Dunne, superseded.

MINISTERS.

William E. Gonzales, of South Carolina, to be envoy extraordinary and minister plenipotentiary of the United States of America to Cuba, vice Arthur M. Beaupré, resigned.

Benjamin L. Jefferson, of Colorado, to be envoy extraordinary and minister plenipotentiary of the United States of America to Nicaragua, vice George T. Weitzel, resigned.

Edward J. Hale, of North Carolina, to be envoy extraordinary and minister plenipotentiary of the United States of America to Costa Rica, vice Lewis Einstein, resigned.

RECEIVERS OF PUBLIC MONEYS.

Otto R. Meyers, of North Dakota, to be receiver of public moneys at Dickinson, N. Dak., vice William A. McClure, term expired.

Harry L. Gandy, of Wasta, S. Dak., to be receiver of public moneys at Rapid City, S. Dak., vice Myron Willsie, term expired.

REGISTER OF THE LAND OFFICE.

Wade H. Fowler, of Ross, Wyo., to be register of the land office at Douglas, Wyo., vice Nathaniel Baker, removed.

PROMOTION IN THE ARMY.

Chaplain Washington W. E. Gladden, Twenty-fourth Infantry, to be chaplain with the rank of captain from June 8, 1913.

PROMOTIONS IN THE NAVY.

Ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1913:

Howard M. Lammers, and
Samuel S. Payne.

Midshipmen to be ensigns in the Navy from the 7th day of June, 1913:

William H. P. Blandy,
Everett Le R. Gayhart,
George A. Andrews,
Henry L. Abbott,
James C. Jones, jr.,
Herman E. Keisker,
Thomas M. Searles,
Glenn B. Davis,
Bruce G. Leighton,
Earl F. Enright,
Frederick G. Crisp,
Palmer H. Dunbar, jr.,
Cullen H. Want,
Roy J. Wilson,
Charles P. McFeaters,
Carl E. Hoard,
Harold C. Van Valzah,
Charles N. Ingraham,
Thomas M. Shock,
Adolph von S. Pickhardt,
Stewart F. Bryant,
Paul A. Stevens,
Kenneth R. R. Wallace,
George W. Wolf,
William B. Jupp,
Robin B. Daughtry,
William I. Causey, jr.,
Walter Seibert,
James T. Mathews,
Frank L. Johnston,
Richard H. Knight,
George L. Greene, jr.,
Hugh L. White,
Reginald S. H. Venable,
Charles C. Helmick,
Norman C. Gillette,
John A. Brownell,
Thomas Shine,
Roy Dudley,
Laurence Wild,
Lloyd R. Gray,
Herbert K. Fenn,
George D. Hull,
James E. Brenner,
Solomon H. Geer,
Paul Hendren,
Chapman C. Todd, jr.,
Henry M. Briggs,
Paul Cassard,
Walter O. Henry,
Clay L. Pearse,
John N. Kates,
Carl T. Hull,
Thomas G. Berrien,
Jesse R. Henderson,
Eric F. Zemke,
George M. Tisdale,
Edward J. O'Keefe,
Bernard T. Hunt,
William L. Wright,
Hamilton V. Bryan,
Elroy L. Vanderkloot,
Wilbur J. Ruble,
John R. Palmer,
John Le V. Hill,
Hartwell C. Davis,
Robert H. Grayson,
Terry B. Thompson,
John L. Hall,
Laurance T. Du Bose,
James H. Strong,
Arthur G. Robinson,
Frederic W. Dillingham,
Walter E. Doyle,
Hardy B. Page,
Karl E. Hintze,
George B. Junkin,
William W. Meek,
Justin McC. Miller,

Oliver L. Downes,
Ellsworth E. Davis,
Harry R. Gellerstedt,
Charles J. Parrish,
Paulus P. Powell,
Roy Pfaff,
Benjamin H. Lingo,
Earl H. Quinlan,
Louis J. Roth,
George S. Dale,
Clarke Withers,
Samuel N. Moore,
Tunis A. M. Craven,
Stuart E. Bray,
William G. B. Hatch,
Arthur S. Walton,
Paul J. Searles,
Samuel S. Thurston,
Arthur W. Dunn, jr.,
Valentine Wood,
Philip C. Ransom,
Leo H. Thebaud,
Jerome A. Lee,
Leman L. Babbitt,
Henry A. Seiller,
James R. Webb,
Alfred H. Donahue,
Horace W. Pillsbury,
John D. Jones,
Walker Cochran,
William Masek,
Thomas W. McGuire,
Julian B. Timberlake, jr.,
Edmund S. McCawley,
Laurence W. Clarke,
Langdon D. Pickering,
Robert D. Kirkpatrick,
Michael Hudson,
Andrew L. Haas,
Gordon Hutchins,
Arnold Marcus,
Franklin B. Conger, jr.,
Henry F. Floyd,
Ligon B. Ard,
Raymond Asserson,
Joseph H. Hoffman,
Jesse H. Smith,
David R. Lee, and
Harold P. Parmelee.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 13, 1913.

COLLECTOR OF CUSTOMS.

William H. Berry to be collector of customs for the district of Philadelphia, Pa.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):

Kirkwood H. Donavin,
William R. Smith, jr.,
Frank J. Wille,
Elwin F. Cutts,
John C. Latham,
Clarence C. Thomas,
Stuart O. Greig,
Charles M. James,
Joseph S. Hulings, and
Franklin P. Conger.

Passed Asst. Surg. Albert J. Geiger to be a surgeon.

Benjamin F. Iden, jr., to be an assistant surgeon in the Medical Reserve Corps.

Second Lieut. Edward M. Reno to be a first lieutenant in the Marine Corps.

Second Lieut. Joseph D. Murray to be a first lieutenant in the Marine Corps.

Lieut. Col. Charles L. McCawley to be a quartermaster in the Marine Corps with the rank of colonel.

Maj. William B. Lemly to be an assistant quartermaster in the Marine Corps with the rank of lieutenant colonel.

Professor of Mathematics Guy K. Calhoun to be a professor of mathematics in the Navy with the rank of lieutenant (junior grade).

POSTMASTERS.

ALABAMA.

H. T. Brown, Calera.
J. A. Cluck, Bridgeport.

H. H. Farrar, Blocton.
J. A. Huggins, Oakman.
Welborn V. Jones, Auburn.
Henry C. Oswalt, Fairhope.
James H. Shepherd, Cordova.

DELAWARE.

John P. Murphy, New Castle.
William H. Robinson, Milford.

HAWAII.

M. J. Borges, Schofield Barracks.
Harry D. Corbett, Hilo.
A. F. Costa, Walluku.
H. H. Plemer, Waiakua.
J. M. Souza, Kohala.

ILLINOIS.

William Champion, Granite City.
Harry Holland, Marion.

KANSAS.

R. H. Miles, Lyndon.
Martin Miller, Fort Scott.

KENTUCKY.

D. B. Fields, Olive Hill.

MASSACHUSETTS.

John Howe, North Brookfield.

MONTANA.

John Dailey, Medicine Lake.
B. L. Golden, Sheridan.
Harry S. Green, Big Sandy.
William Krofft, Chouteau.

NEW JERSEY.

William J. Wolfe, Chatham.

NEW YORK.

J. F. Metoskie, Hillburn.

PENNSYLVANIA.

Harry Hagan, Uniontown.
John A. Kramer, Middletown.
Robert W. Lange, Belle Vernon.
R. J. McGee, Dunbar.
Albert E. Rumberger, Patton.
William L. Saylor, Annville.
A. J. Sweeny, Gallitzin.

SOUTH DAKOTA.

J. E. McNeill, Wessington.

WASHINGTON.

W. H. Padley, Reardan.

HOUSE OF REPRESENTATIVES.

FRIDAY, June 13, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, teach us patience, forbearance, courage, fortitude, the spirit of self-sacrifice in the routine duties of daily life, that we may build in the tissues of our being a character which, when the crucial test shall come twixt honor and dishonor, shall be strong enough to resist the evil and pursue the right. Since it is the sum of the small duties which make for the greater things in life and which make heroes of men in great crises, which often come without warning, so help us, under Thy guidance, to quit ourselves like men in all the circumstances of life. In the spirit of the Master, amen.

The Journal of the proceedings of Tuesday, June 10, 1913, was read and approved.

ADJOURNMENT UNTIL TUESDAY NEXT.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet on next Tuesday. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2258. An act to extend the proposed reorganization of the customs service for a period of two years.

DECISION IN MINNESOTA RATE CASES.

Mr. HARDWICK. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 170.

Resolved, That 15,000 copies of the decision of the Supreme Court of the United States in the Minnesota rate cases, Nos. 291, 292, and 293, George T. Simpson et al., appellants, v. David C. Sheppard et al., decided June 9, 1913, be printed for the use of the House, the same to be distributed through the folding room of the House.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Georgia [Mr. HARDWICK] if this includes all the cases related to the Minnesota case?

Mr. HARDWICK. Yes; it includes all three decisions embraced in the Minnesota cases.

Mr. MURDOCK. The Senate print which I have covers case No. 291. This resolution covers the entire case, so far as the Supreme Court is concerned?

Mr. HARDWICK. Yes; it does.

Mr. MURDOCK. I have no objection, Mr. Speaker.

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, I would like to inquire whether or not it is necessary to have this number printed, in view of the fact that the Senate has already ordered 10,000 copies printed?

Mr. HARDWICK. That is for their own use, and we shall not get any of them. The Members of the House are getting requests from lawyers and commissioners and others, and there is a large demand for copies. The Senate has printed 10,000 copies. We ask only 15,000 for the use of the Members of the House. That will give the Members of the House 30 or 35 copies apiece, and that is not too many.

Mr. TAYLOR of Colorado. I doubt if it is necessary to have the document duplicated in that way.

Mr. HARDWICK. It is necessary for the House to provide for its own quota.

Mr. HAYES. Mr. Speaker, may I inquire if the copies are to be distributed through the folding room?

Mr. HARDWICK. Yes; through the folding room. Each Member is to get his exact share.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution. The resolution was agreed to.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

Mr. ALEXANDER. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 171.

Resolved, That the Committee on the Merchant Marine and Fisheries shall be, and is hereby, authorized during the Sixty-third Congress to have such printing and binding done as may be necessary for the transaction of its business.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

COMMITTEE ON AGRICULTURE.

Mr. LEVER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent for the immediate consideration of the resolution which the Clerk will report:

The Clerk read as follows:

House resolution 172.

Resolved, That the Committee on Agriculture be authorized to procure such printing and binding as shall be necessary for the discharge of the work of said committee during the Sixty-third Congress.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

COMMITTEE ON MINES AND MINING.

Mr. FOSTER. Mr. Speaker, I offer the following resolution, and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent for the present consideration of the resolution which the Clerk will report.